

224676  
**BAKER & MILLER PLLC**

ATTORNEYS and COUNSELLORS  
2401 PENNSYLVANIA AVENUE NW  
SUITE 300  
WASHINGTON, DC 20037

TELEPHONE (202) 663-7820  
FACSIMILE (202) 663-7849

**FILED**

MAR 12 2009

**SURFACE  
TRANSPORTATION BOARD**

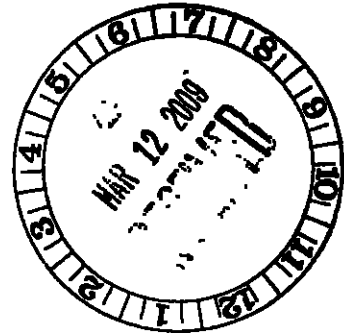
WILLIAM A. MULLINS

(202) 663-7823 (Direct Dial)  
E-Mail: [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com)

March 12, 2009

**BY HAND DELIVERY**

The Honorable Anne K. Quinlan, Acting Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington DC 20423-0001



Re: STB Docket No. AB-308 (Sub-No. 4X), *Central Michigan Railway Company –  
Abandonment Exemption – Line In Kent County, MI*

Dear Acting Secretary Quinlan:

Pursuant to the Board's exemption procedures for abandonments and discontinuances of service for rail lines with no local business for at least two years (49 CFR 1152.50), enclosed are an original and 11 copies of a verified Abandonment Notice of Exemption on behalf of the Central Michigan Railway Company. A check in the amount of \$3,700.00 is enclosed as the filing fee.

Please acknowledge receipt and filing of this Notice of Exemption by date stamping the enclosed eleventh copy and returning it to the courier to return to me. If there are any questions concerning this filing, please contact me by telephone at (202) 663-7823 or by email at [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com).

Sincerely,

**FEE RECEIVED**  
MAR 12 2009  
**SURFACE  
TRANSPORTATION BOARD**

  
William A. Mullins

Enclosures

cc. William F. Bartlett  
James P. Pitz

ENTERED  
Office of Proceedings

MAR 12 2009

Part of  
Public Record

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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224676

**STB DOCKET NO. AB-308 (SUB-NO. 4X)**

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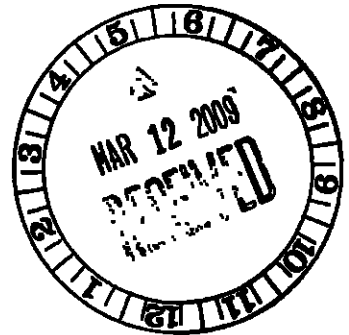
**CENTRAL MICHIGAN RAILWAY COMPANY  
- ABANDONMENT EXEMPTION -  
LINE IN KENT COUNTY, MI**

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**ENTERED  
Office of Proceedings  
MAR 12 2009  
Part of  
Public Record**

**EXEMPTION NOTICE**

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**FEE RECEIVED**

**MAR 12 2009**

**SURFACE  
TRANSPORTATION BOARD**

**FILED**

**MAR 12 2009**

**SURFACE  
TRANSPORTATION BOARD**

William A. Mullins  
Robert A. Wimbish  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., NW  
Suite 300  
Washington, DC 20037  
Tel: (202) 663-7823  
Fax: (202) 663-7849

Counsel for Central Michigan  
Railway Company

Dated: March 12, 2009

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

---

**STB DOCKET NO. AB-308 (SUB-NO. 4X)**

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**CENTRAL MICHIGAN RAILWAY COMPANY  
- ABANDONMENT EXEMPTION -  
LINE IN KENT COUNTY, MI**

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**EXEMPTION NOTICE**

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The Central Michigan Railway Company ("CMRY") submits the following notice of exemption pursuant to 49 CFR Part 1152, Subpart F, Exempt Abandonments and Discontinuances of Service and Trackage Rights, for an exempt abandonment of approximately 1.75-miles of interconnected rail line in Kent County, Michigan (the "Line"). In accordance with the informational requirements set forth at 49 CFR 1152.50(d), CMRY provides the following:

**Proposed Consummation Date: 49 CFR 1152.50(d)(2)**

The abandonment will be consummated on or after May 1, 2009 (50 days after filing the notice of exemption).

**Certification: 49 CFR 1152.50(b)**

CMRY certifies that the Line satisfies the criteria for abandonment under the exemption provisions at 49 CFR Part 1152, Subpart F. See Verification of James P. Pitz – Central Michigan Railway Company, attached hereto and made part hereof as Exhibit A.

**Additional Information Required: 49 CFR 1152.22(a)(1)-(4), (7)-(8) and (e)(4)**

(a)(1) The railroad's exact name is Central Michigan Railway Company.

(a)(2) CMRY is a Class III common carrier by railroad subject to 49 U.S.C. Subtitle IV. See Central Michigan Railway Company – Acquisition and Operation Exemption – Certain Lines of Grand Trunk Western Railroad Company, ICC Finance Docket No. 31059 (ICC served July 13, 1987).

(a)(3) The 1.75-miles of rail line that CMRY seeks abandon consists of three interconnected sections of track as follows: (1) a line (hereafter, “Segment A”) extending from milepost 157.96 (at the switch connection with the east-west aligned tracks of the Mid-Michigan Railroad, Inc. (“MMR” – formerly, the Grand Rapids Eastern Railroad) near the intersection of Taylor Avenue and Quimby Street) through valuation map marker location marker 9+87.2 (the location of the south wye, or Press Track, switch adjacent to Monroe Avenue) and continuing to the end of the track at a point immediately north of Michigan Street/Bridge Street;<sup>1</sup> (2) a line (hereafter, “Segment B”) extending from valuation map marker 3+00 (at a switch connection with a line of MMR immediately at the east end of the MMR bridge spanning the Grand River) to a connection with Segment A at valuation map marker 9+87.2 (at the south wye switch); and (3) a line (hereafter, “Segment C”) extending from valuation map marker location 0+00 (at a point of connection with the east-west aligned MMR line immediately to the east of the MMR line’s bridge spanning the Grand River) due northward to valuation map marker location 11+15.0 (approximately 250 feet south of Ann Street).<sup>2</sup> Segments A, B, and C of the Line are both located entirely in Grand Rapids, Kent County, MI. CMRY seeks an exemption to

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<sup>1</sup> The east-west aligned road immediately to the south of the endpoint of Segment A appears to bear two different names. It is Bridge Street to the west of the road’s crossing of the Grand River, but it is known as Michigan Street to the east of this span.

<sup>2</sup> Except for the northern connection of Segment A to the rail line of MMR, the Line does not possess milepost markers. For that reason CMRY has supplied valuation map markers where available, and other geographic points of reference to better identify the terminal points of each segment of the Line. As reference, CMR is attaching hereto at Exhibit B maps that depict the Line and the intersection of Segments A, B, and C. As is reflected in the attached maps, the northern portion of Segment A to valuation map marker location marker 9+87.2, all of Segment B form a wye connection with the MMR line.

abandon the Line in order to facilitate the objective of the State of Michigan Department of Natural Resources ("DNR") to acquire the subject property for recreational purposes pursuant to the interim trail use and rail banking provisions of 16 U.S.C. 1247(d).<sup>3</sup>

(a)(4) Detailed maps showing the location of the Line are attached hereto as Exhibit B.

(a)(7) The representative of CMRY to whom correspondence regarding this abandonment should be sent is:

William A. Mullins  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., NW  
Suite 300  
Washington, DC 20037  
Tel: (202) 663-7824  
Fax: (202) 663-7849

(a)(8) The Line lies entirely within U.S. Postal Service Zip Codes 49503 and 49505.

(e)(4) CMRY has undertaken no separate analysis to determine the Line's suitability for use for other public purposes. However, as discussed above, CMRY has agreed to undertake the subject abandonment to facilitate the goal of DNR to acquire the Line's right-of-way pursuant to the interim trail use and rail banking provisions at 49 U.S.C. 1247(d) and 49 CFR 1152.29, and thereby initiate use of the right-of-way as a recreational trail. Because CMRY is willing at this time to negotiate an agreement pursuant to which DNR would acquire the subject right-of-way and serve as trail user, CMRY is aware of no impediment or restriction on title that would bar such public use. Outside of the context of trail use/rail banking, CMRY is not aware of any restriction on the title to the Line's right-of-way, which would affect the transfer of title or the use of property for other than rail purposes.

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<sup>3</sup> As evidence of DNR's interest in the subject rail lines, and plans to convert the property for rail purposes, CMRY is attaching hereto as Exhibit C a letter from DNR addressed to CMRY.

### **Labor Protection**

The interests of affected railroad employees, if any, will be protected by the conditions discussed in Oregon Short Line Railroad Co. – Abandonment – Goshen, 360 I.C.C. 91 (1979).

### **Certifications**

Attached hereto as Exhibit D are the Certificates of Service and Publication pursuant to the notice requirements of 49 CFR 1152.50(d)(1), 1105.11 and 1105.12.

### **Environmental and Historic Report**

As stated above, CMRY certifies that it has complied with the service requirements of 49 CFR 1105.11, which, in turn, is evidence of CMRY's compliance with the advance notice requirements applicable to Environmental and Historic Reports as set forth at 49 CFR 1105.7 and 1105.8. Moreover, CMRY's Environmental and Historic Report reflecting the feedback and input of agencies consulted in the process is attached hereto as Exhibit E. In the event that CMRY receives information from the entities with which CMRY has consulted that is responsive to the Environmental and Historic Report subsequent to the filing of its notice of exemption, CMRY will promptly advise the Board of any such additional information.

Respectfully submitted,



William A. Mullins  
Robert A. Wimbish  
BAKER & MILLER PLLC  
2401 Pennsylvania Ave., NW  
Suite 300  
Washington, DC 20037  
Tel: (202) 663-7824  
Fax: (202) 663-7849

Counsel for Central Michigan Railway Company

March 12, 2009

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

---

**STB DOCKET NO. AB-308 (SUB-NO. 4X)**

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**CENTRAL MICHIGAN RAILWAY COMPANY  
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION -  
LINE IN KENT COUNTY, MI**

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**EXEMPTION NOTICE**

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**EXHIBIT A**

**VERIFICATION**

## VERIFICATION

I, James P. Pitz, Chief Operating Officer of the Central Michigan Railway Company ("CMRY"), hereby verify and certify that no local traffic has moved over the following CMRY lines (all of which are located in Grand Rapids, Kent County, MI) for the past two years: (1) a line ("Segment A") extending from milepost 157.96 (at the switch connection with the east-west aligned tracks of the Mid-Michigan Railroad, Inc. ("MMR" – formerly, the Grand Rapids Eastern Railroad) near the intersection of Taylor Avenue and Quimby Street) through valuation map marker location marker 9+87.2 (the location of the south wye, or Press Track, switch adjacent to Monroe Avenue) and continuing southward to the end of the track at a point immediately north of Michigan Street/Bridge Street; (2) a line ("Segment B") extending from valuation map marker 3+00 (at a switch connection with a line of MMR immediately at the east end of the MMR bridge spanning the Grand River) to a connection with Segment A at valuation map marker 9+87.2 (at the south wye switch); and (3) a line ("Segment C") extending from valuation map marker location 0+00 (at a point of connection with the east-west aligned MMR line immediately to the east of the MMR line's bridge spanning the Grand River) due northward to valuation map marker location 11+15.0 (approximately 250 feet south of Ann Street). I also hereby verify and certify that there is no overhead traffic on above-described lines that has been, or would need to be, rerouted as a result of the proposed abandonment. I further verify and certify that no formal complaint filed by a user of rail service on the lines (or filed by a state or local government entity acting on behalf of such user) regarding cessation of service over the lines either is pending with this Board or any U.S. District Court or has been decided in favor of the complainant within the said two-year period. I also certify that I am duly authorized to make this verification.



Further, I hereby verify that the information contained in the foregoing abandonment notice of exemption is true and correct to the best of my information and belief.

Dated: March 12, 2009

  
James P. Pitz  
Chief Operating Officer  
Central Michigan Railway Company

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. AB-308 (SUB-NO. 4X)**

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**CENTRAL MICHIGAN RAILWAY COMPANY  
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION -  
LINE IN KENT COUNTY, MI**

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**EXEMPTION NOTICE**

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**EXHIBIT B**

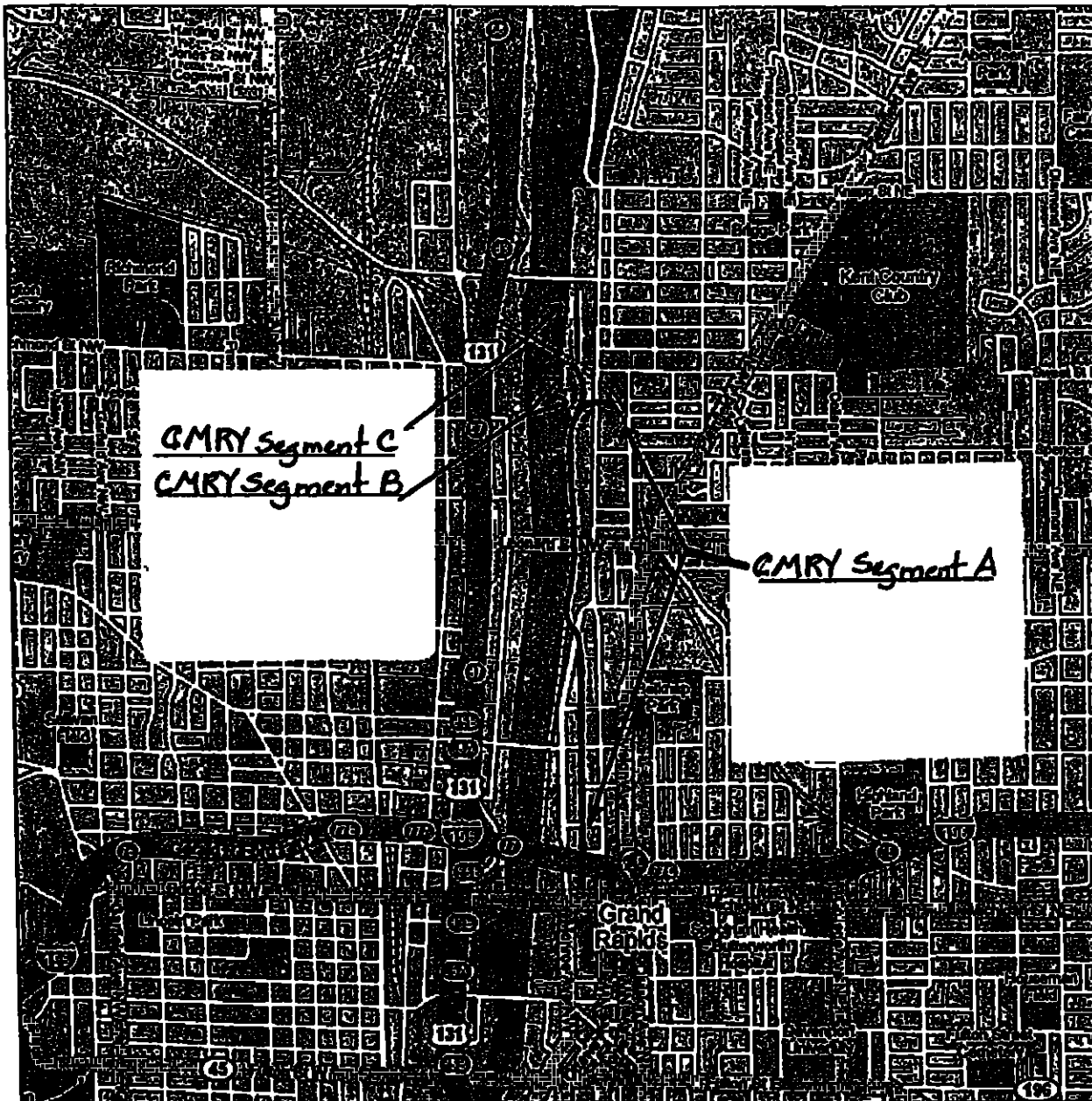
**MAPS**

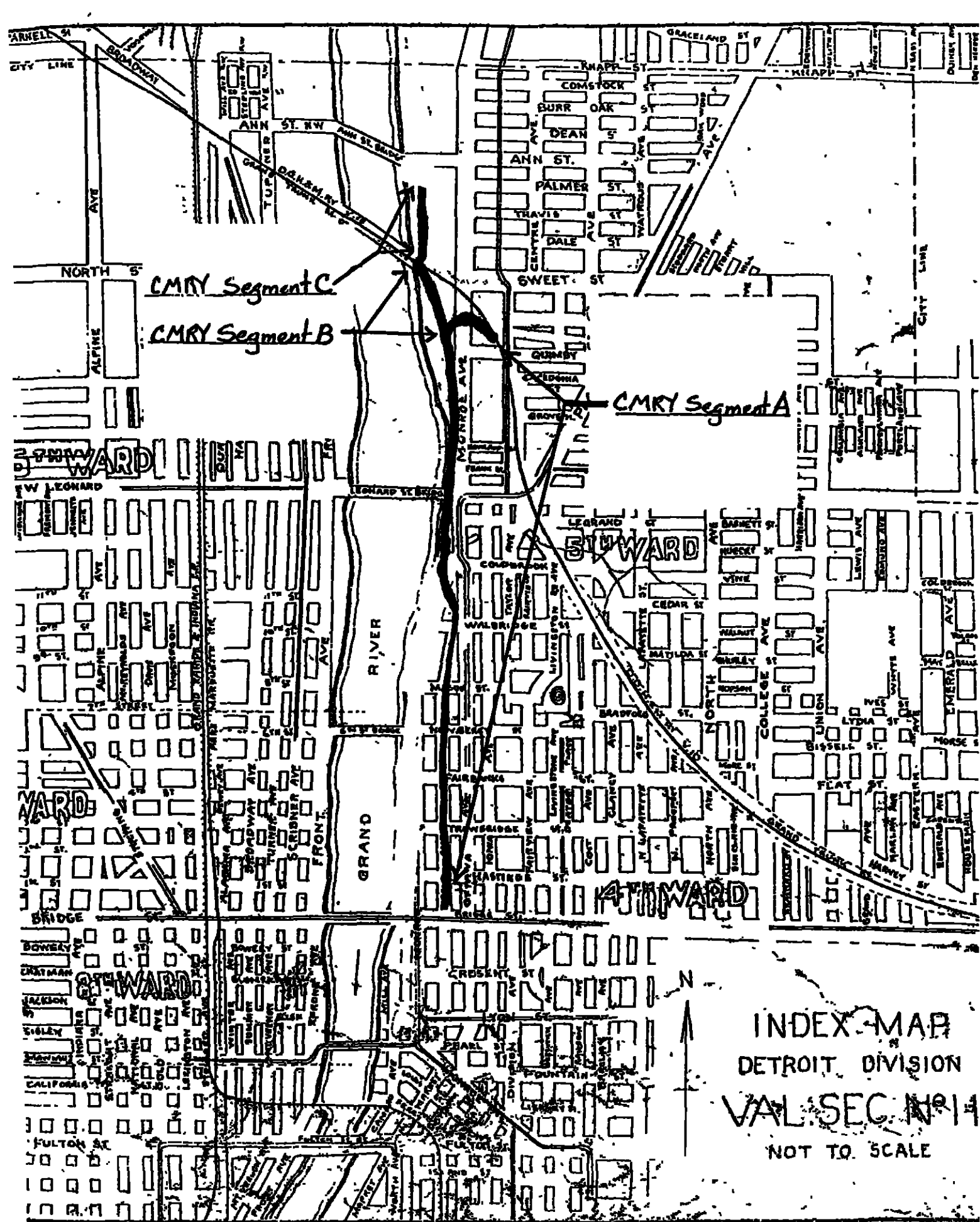


Address Grand Rapids, MI

Get Google Maps on your phone

Text the word "GMAPS" to 466453





**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. AB-308 (SUB-NO. 4X)**

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**CENTRAL MICHIGAN RAILWAY COMPANY  
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION -  
LINE IN KENT COUNTY, MI**

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**EXEMPTION NOTICE**

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**EXHIBIT C**

**LETTER FROM MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES**



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

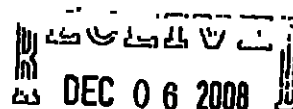
LANSING



REBECCA A HUMPHRIES  
DIRECTOR

December 4, 2008

Mr. James Pitz  
Straits Corporation  
1424 Straits Drive  
Bay City, Michigan 48706



BY:.....

Dear Mr. Pitz:

**Subject: Monroe Street Rail Corridor Acquisition and Rail-Banking**

This letter is to acknowledge that the Department of Natural Resources (DNR) is actively pursuing the acquisition of the former Central Michigan Railway Company right-of-way located in Grand Rapids, Michigan and described on the attachment to this letter.

The DNR will be supportive of an abandonment proceeding to be filed with the Surface Transportation Board (STB) by the Central Michigan Railway Company with the understanding that the line will be "rail-banked." Under the National Trails System Act, 16 U.S.C. 1247(d), the STB is given an administrative role in assisting carriers who wish to rail-bank their corridors as an alternative to a complete abandonment of the line, thus preserving the rail corridor for possible future use. The STB assists in this process by imposing a Notice of Interim Trail Use (NITU) in the abandonment decision.

The process begins when the DNR, as trail proponent, files a Public Use Condition and Trail Use Request in response to your abandonment request to the STB. Once our request is received, you must also write to the STB, indicating your consent to having the condition placed in the abandonment decision. We will then be given 180 days to negotiate an agreement. If we are unable to complete all the work required to finalize the acquisition within that period, we can both ask for a time extension.

Since the corridor is not legally abandoned under this process, it will not be necessary to offer the corridor as specified under the provisions of 1976 PA 295.

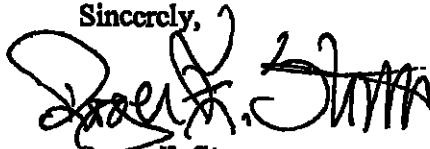
Yesterday, the DNR announced approval of our partial funding request for the project. While those monies will not become available until appropriated by the Michigan Legislature, the DNR has other funding available to facilitate the appraisal process.

NATURAL RESOURCES COMMISSION  
Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • Darnell Earley • John Madigan • J. R. Richardson • Frank Wheatlake  
STEVEN T. MASON BUILDING • P.O. BOX 30028 • LANSING, MICHIGAN 48909-7528  
www.michigan.gov/dnr • (517) 373-2329  
*Great Lakes, Great Times, Great Outdoors!*

Mr. James Pitz  
Page 2  
December 4, 2008

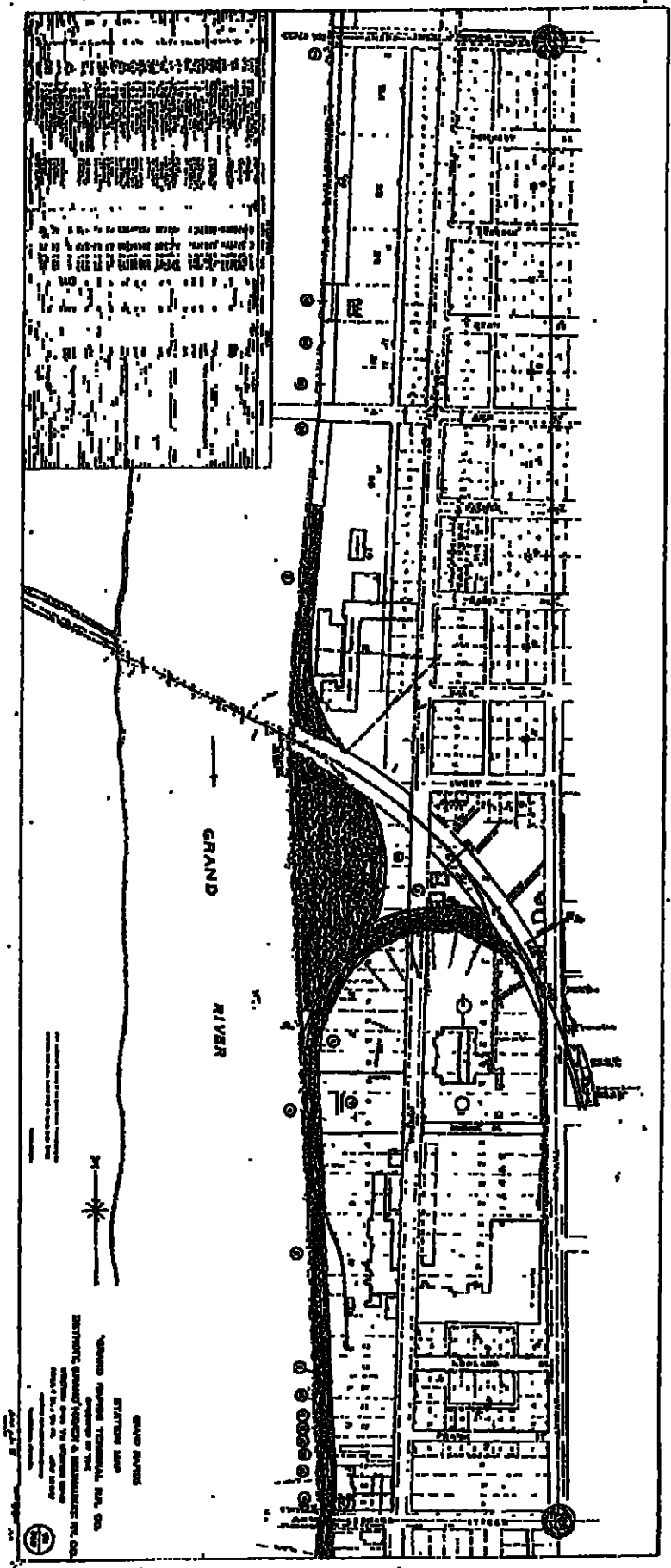
If you have any questions, please contact me at 517-335-3258.

Sincerely,

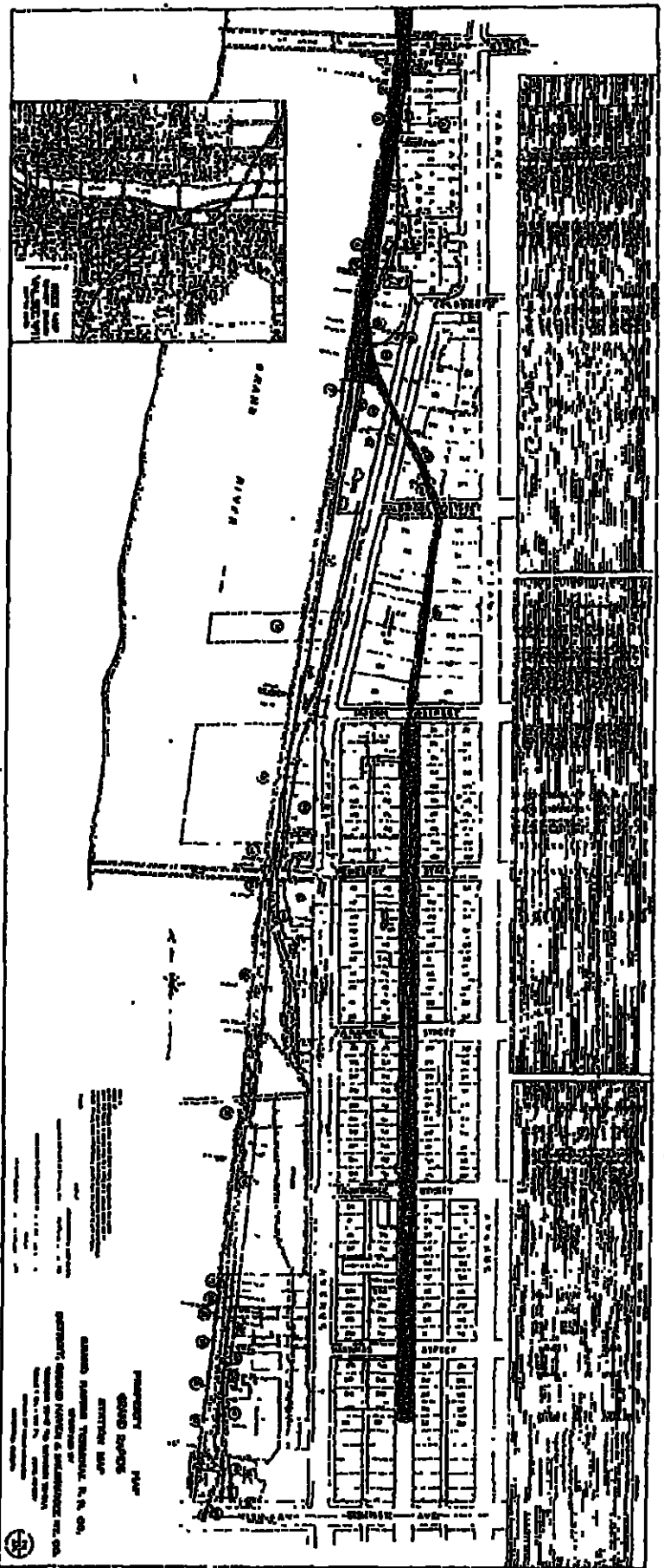
A handwritten signature in black ink, appearing to read "Roger E. Storm". The signature is stylized with large, sweeping loops and a prominent "S" at the end.

Roger E. Storm,  
Trailway Acquisition Specialist  
Office of Land and Facilities  
517-335-3258

RES/rt  
Enclosure: Corridor Map







**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. AB-308 (SUB-NO. 4X)**

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**CENTRAL MICHIGAN RAILWAY COMPANY  
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION -  
LINE IN KENT COUNTY, MI**

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**EXEMPTION NOTICE**

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**EXHIBIT D**

**CERTIFICATIONS OF  
SERVICE/PUBLICATION**

**Certificate of Service**

**49 CFR 1152.50(d)(1) – Notice**

I certify that, in accordance with the advance notice provisions of 49 CFR 1152.50(d), Central Michigan Railway Company has given written notice of its intent to use the notice of exemption procedures to abandon and to discontinue service over approximately 1.75 miles of rail line located in Kent County, MI. Specifically, on February 20, 2009, I caused written notice (an example of which is attached hereto as Attachment 1) to be served on the following:

Michigan Public Service Commission  
P.O. Box 30221  
Lansing, MI 48909

SDDC TEA  
Attn: MTT-SA  
Dave Dorfman  
709 Ward Drive  
Scott Airforce Base, IL 62225

Charlie Stockman  
Rivers, Trails and Conservation Assistance Program  
National Park Service  
RTCA Program  
1201 Eye St., NW, 9th Floor (Org Code 2240)  
Washington, DC 20005

Abigail R. Kimbell  
U.S. Forest Service  
1400 Independence Ave., S.W.  
Washington, D.C. 20250-0003

March 12, 2009

  
\_\_\_\_\_  
Robert A. Wimbish  
Attorney for Central Michigan Railway Company

# BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

2401 PENNSYLVANIA AVENUE, NW  
SUITE 300  
WASHINGTON, DC 20037

TELEPHONE (202) 663-7620  
FACSIMILE (202) 663-7649

WILLIAM A. MULLINS

(202) 663-7623 (Direct Dial)

February 20, 2009

Michigan Public Service Commission  
P.O. Box 30221  
Lansing, MI 48909

RE: *Central Michigan Railway Company – Abandonment Exemption – Line In  
Kent County, MI, STB Docket No. AB-308 (Sub-No. 4X)*

To Consulting Agencies:

On or after March 12, 2009, Central Michigan Railway Company ("CMRY") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption pursuant to 49 CFR 1152.50, Subpart F, seeking to abandon approximately 1.5 miles of railroad track (the "Line") located in Grand Rapids, Kent County, Michigan, as follows: (1) a line (hereafter, "Segment A") extending from milepost 157.96 (at the switch connection with the east-west aligned tracks of the Grand Rapids Eastern Railroad ("GR") near the intersection of Taylor Avenue and Quimby Street) through valuation map marker location 9+87.2 (the location of the south wye, or Press Track, switch adjacent to Monroe Avenue) and continuing to the end of the track at a point immediately north of Bridge Street; (2) a line (hereafter, "Segment B") extending from valuation map marker location 3+00 (at a switch connection with a line of GR immediately at the east end of the GR bridge spanning the Grand River) to a connection with Segment A at valuation map marker location 9+87.2 (at the south wye switch); and a line (hereafter, "Segment C") extending from valuation map marker location 0+00 (at a point of connection with the east-west aligned GR line immediately to the east of the GR line's bridge spanning the Grand River) due northward to valuation map marker location 11+15.0 (approximately 250 feet south of Ann Street). The Line traverses through United States Postal Zip Codes 49503 and 49505. Maps that delineate the proposed project are attached.

Pursuant to the STB's regulations at 49 CFR Part 1105, CMRY has prepared and will file with the STB an Environmental and Historic Report describing the proposed action and any expected environmental and historic effects. In preparation of this report, CMRY is seeking your input and comment. At this time and based on information in CMRY's possession, CMRY does not anticipate that any adverse environmental or historic effects would result from the proposed

**BAKER & MILLER PLLC**

Michigan Public Service Commission

February 20, 2009

Page 2

abandonment. Likewise, based on information in CMRY's possession, the Line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

If you wish to offer any information in response to the attached Environmental and Historic Report, or if you have any questions regarding the proposed rail line abandonment, please contact CMRY's representatives William A. Mullins or Robert A. Wimbish at the law firm of Baker & Miller, PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037; by facsimile at (202) 663-7849; by e-mail at [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com) or [rwimbish@bakerandmiller.com](mailto:rwimbish@bakerandmiller.com), or by telephone at (202) 663-7820. If you have any questions about the STB's environmental review process, please review the regulations, contact me, Mr. Wimbish, or the STB's Section of Environmental Analysis ("SEA"), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423-0001; TEL: (202) 245-0295 and refer to STB Docket No. AB-308 (Sub-No. 4X).

Sincerely,



William A. Mullins

Enclosure

cc: Section of Environmental Analysis (SEA)  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

**Certificate of Compliance with Environmental and Historic Report Service Requirements**

**49 CFR 1105.11 – Distribution of Environmental and Historic Report**

I certify that, Central Michigan Railway Company has complied with the Environmental and Historic Report distribution requirements of 49 CFR 1105.7(b) and 1105.8(c), and with the related transmittal letter requirements of 49 CFR 1105.11. Specifically, on February 20, 2009, I caused a transmittal letter in the form prescribed at Section 1105.11 and a copy of the subject Environmental and Historic Report (an example of which is appended hereto as Attachment 2) to be distributed to the following:

Michigan Department of Transportation  
Attention: Mr. Melvin Williams, Administrator Freight Services & Safety  
2700 Port Lansing Rd  
Lansing, Michigan 48906

Steven Chester, Director  
Michigan Department of Environmental Quality  
P.O. Box 30473-7973  
Lansing, MI 48909

Chris Anteau  
Michigan Department of Environmental Quality  
Land and Water Management Division  
P.O. Box 30458  
Lansing, MI 48909

Daryl Delabbio, Kent County Administrator  
300 Monroe Street, NW  
Grand Rapids, MI 49503

Bharat Mathur, Acting Regional Administrator  
Region 5 – US Environmental Protection Agency  
77 West Jackson Boulevard, Mailcode: C-14J  
Chicago, IL 60604

Michael Berman  
Region 5 – US Environmental Protection Agency  
Office of Regional Counsel  
77 West Jackson Boulevard, Mailcode: R-19J  
Chicago, IL 60604

US Fish & Wildlife Service  
One Federal Drive, Room 630  
BHW Federal Building  
Fort Snelling, MN 55111

Christine Dowhan-Bailey  
U.S. Army Corps of Engineers  
Detroit District  
Dept of Army/ Corps of Engineers  
477 Michigan Ave.  
Detroit, MI 48226-2575

Charlie Stockman  
Rivers, Trails and Conservation Assistance Program  
National Park Service  
RTCA Program  
1201 Eye St., NW, 9th Floor (Org Code 2240)  
Washington, DC 20005

Dave White, Acting Chief  
USDA, NRCS, Office of the Chief  
1400 Independence Ave., SW, Room 5105-A  
Washington, DC 20250

National Geodetic Survey  
NGS Information Services, NOAA, N/NGS12  
National Geodetic Survey SSMC-3, #9202  
1315 East-West Highway  
Silver Spring, MD 20910-3282

Martha McFarlane-Faes  
Michigan State Historic Preservation Office  
Michigan Historical Center  
702 West Kalamazoo Street  
P.O. Box 30740  
Lansing, MI 48909-8240

March 12, 2009

  
\_\_\_\_\_  
Robert A. Wimbish  
Attorney for Central Michigan Railway Company

# BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

2401 PENNSYLVANIA AVENUE, NW  
SUITE 300  
WASHINGTON, DC 20037

TELEPHONE (202) 663-7820  
FACSIMILE (202) 663-7849

WILLIAM A. MULLINS

(202) 663-7823 (Direct Dial)

February 20, 2009

Michigan Department of Transportation  
Attention: Mr. Melvin Williams, Administrator Freight Services & Safety  
2700 Port Lansing Rd  
Lansing, Michigan 48906

RE: *Central Michigan Railway Company – Abandonment Exemption – Line In  
Kent County, MI, STB Docket No. AB-308 (Sub-No. 4X)*

Dear Mr. Williams:

On or after March 12, Central Michigan Railway Company ("CMRY") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption pursuant to 49 CFR 1152.50, Subpart F, for CMRY to abandon approximately 1.75 miles of railroad track (the "Line") located in Grand Rapids, Kent County, Michigan, as follows: (1) a line (hereafter, "Segment A") extending from milepost 157.96 (at the switch connection with the east-west aligned tracks of the Grand Rapids Eastern Railroad ("GR") near the intersection of Taylor Avenue and Quimby Street) through valuation map marker location 9+87.2 (the location of the south wye, or Press Track, switch adjacent to Monroe Avenue) and continuing to the end of the track at a point immediately north of Bridge Street; (2) a line (hereafter, "Segment B") extending from valuation map marker location 3+00 (at a switch connection with a line of GR immediately at the east end of the GR bridge spanning the Grand River) to a connection with Segment A at valuation map marker location 9+87.2 (at the south wye switch); and (3) a line (hereafter, "Segment C") extending from valuation map marker location 0+00 (at a point of connection with the east-west aligned GR line immediately to the east of the GR line's bridge spanning the Grand River) due northward to valuation map marker location 11+15.0 (approximately 250 feet south of Ann Street). The Line traverses United States Postal Zip Codes 49503 and 49505. Enclosed is an Environmental and Historic Report describing the proposed abandonment and any expected environmental and historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing,



or if you have any questions about the STB's environmental review process, please contact the Section of Environmental Analysis ("SEA"), Surface Transportation Board, 395 E Street, SW, Washington, DC 20423-0001; TEL: (202) 245-0295 and refer to STB Docket No. AB-308 (Sub-No. 4X).

Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the SEA (at the address provided above) along with a copy to CMRY's representative (at the address provided below) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts, if any, of the contemplated action.

If there are any questions concerning this proposal, please contact either William A. Mullins or Robert A. Wimbish at the law firm of Baker & Miller, PLLC, 2401 Pennsylvania Avenue, NW, Suite 300, Washington, DC 20037; by facsimile at (202) 663-7849; by e-mail at [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com) or [rwimbish@bakerandmiller.com](mailto:rwimbish@bakerandmiller.com), or by telephone at (202) 663-7820.

Sincerely,



William A. Mullins

Counsel for Central Michigan  
Railway Company

Enclosure

cc: Section of Environmental Analysis (SEA)  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. 308 (SUB-NO. 4X)**

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**CENTRAL MICHIGAN RAILWAY COMPANY  
- ABANDONMENT EXEMPTION -  
LINE IN KENT COUNTY, MI**

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**ENVIRONMENTAL AND HISTORIC REPORT**

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In connection with the above-captioned proceeding, Central Michigan Railway Company ("CMRY") intends to file a notice of exemption with the U.S. Surface Transportation Board ("STB" or "Board") to abandon interconnected rail lines located in Grand Rapids, Kent County, Michigan. In accordance with the requirements of 49 CFR 1105.7 (Environmental Reports) and 1105.8 (Historic Reports), which provisions apply to rail line abandonments (including, as is the case here, a rail line abandonment under the notice of exemption procedures at 49 CFR Part 1152, Subpart F), CMRY hereby submits its consolidated Environmental and Historic Report.

**ENVIRONMENTAL REPORT  
49 CFR 1105.7(e)(1)-(11)**

***49 CFR 1105.7(e)(1) Proposed Action and Alternatives***

***Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.***

Central Michigan Railway Company ("CMRY") proposes to abandon approximately 1.75-miles of essentially interconnected rail line (the "Line") as follows:

(1) a line (hereafter, "Segment A") extending from milepost 157.96 (at the switch connection with the east-west aligned tracks of the Grand Rapids Eastern Railroad ("GR") near the intersection of Taylor Avenue and Quimby Street) through valuation map marker location 9+87.2 (the location of the south wye, or Press Track, switch adjacent to Monroe Avenue) and continuing southward to the end of the track at a point immediately north of Bridge Street; (2) a line (hereafter, "Segment B") extending from valuation map marker location 3+00 (at a switch connection with a line of GR immediately at the east end of the GR bridge spanning the Grand River) to a connection with Segment A at valuation map marker 9+87.2 (at the south wye switch); and (3) a line (hereafter, "Segment C") extending from valuation map marker location 0+00 (at a point of connection with the east-west aligned GR line immediately to the east of the GR line's bridge spanning the Grand River) due northward to valuation map marker location 11+15.0 (approximately 250 feet south of Ann Street). The Line is located entirely in the City of Grand Rapids, Kent County, Michigan. By utilizing the two-year-out-of-service notice of exemption procedures at 49 CFR 1152.50, CMRY anticipates that it will obtain

authority to abandon the Line fifty (50) days after CMRY's notice of exemption is filed with the U.S. Surface Transportation Board on or after March 12, 2009.

As information, CMRY purchased the Line from the Grand Trunk Western Railroad Company ("GTW") in 1987. Thereafter, CMRY used Segments A and B of the Line to transport inbound paper to The Grand Rapids Press ("GRP") in downtown Grand Rapids until GRP moved its production facility to Walker, Michigan. CMRY last provided rail service to GRP at Grand Rapids in June 2004. The portion of the Line representing Segment C has been out of service since CMRY acquired it from GTW in 1987. There are no other customers on the Line, there have not been any other active shippers on the Line for more than two years, and, as a stub-ended branch, the Line has not handled any overhead traffic for over two years (if it ever did). With no potential traffic, and in furtherance of the plans of the State of Michigan to utilize the subject property for recreational purposes as discussed below, CMRY has decided to seek STB authorization to abandon the Line.

Following the effective date of the proposed exemption notice, CMRY anticipates that, where feasible, it would remove the rail and other salvageable materials from the Line's roadbed. Following such salvage activity, CMRY anticipates that the Line's right-of-way would be conveyed to the Michigan Department of Natural Resources ("DNR") for recreational use pursuant to the interim trails use and rail banking provisions of 16 U.S.C. 1247(d) and 49 CFR 1152.29.

The only alternative to abandonment would be not to abandon the Line and allow it to remain an inactive CMRY asset. Because the Line has been inactive for some time, it has not been the subject of any regular maintenance. Accordingly, the proposed

abandonment would not result in any material changes to CMRY's operations or maintenance practices.

A map of the Line proposed to be abandoned is attached hereto as Exhibit 1.

**1105.7(e)(2) Transportation System**

***Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.***

No passenger or freight traffic will be diverted to other modes as a result of the proposed abandonment. GRP was the only shipper on the Line, and it ceased ordering shipments via the Line more than four years ago. Hence, no rail passenger or freight traffic will be diverted to other modes of transportation as a result of the proposed action, and, accordingly, the proposed abandonment should have no adverse effects on regional or local transportation systems and patterns.

**1105.7(e)(3) Land Use**

***(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.***

CMRY considers the proposed abandonment to be consistent with existing local land use plans. The land adjoining the Line is mainly urban in character and is comprised currently of zoning districts ranging from institutional, industrial, commercial, parking lots, parks and high density residential.

CMRY bases its analysis upon a review of the City of Grand Rapids Master Plan 2002 (the "Master Plan"). The Master Plan recommends a change in land use along the riverfront north of I-196 and west of Monroc Avenue (the area in which the Line is

located) from industrial to mixed use, with a preference for the following: additional open space, continuous public access along the river edge, and medium and high-density residential development along the riverfront. The proposed abandonment is intended to facilitate recreational trails use, and, in fact, would not have been initiated but for CMRY's decision to work with DNR toward such an objective. For these reasons, CMRY believes that the proposed abandonment is consistent with the Master Plan.

A copy of this report will be sent to the City of Grand Rapids and Kent County, along with a request for their review and comment.

***(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.***

The proposed abandonment would take place within a highly-developed, urban area in the City of Grand Rapids. As such, it is highly unlikely that there is any prime agricultural land that would be affected by the proposed abandonment. A copy of this report will be sent to the United States Department of Agriculture ("USDA") Soil Conservation Service along with a request for its review and comment.

***(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9.***

Based upon review of a Michigan Department of Environmental Quality ("MDEQ") Coastal Zone Management Program map<sup>1</sup> and preliminary consultation with MDEQ Coast Zone Program staff, CMRY understands that the Line does not pass through a designated coastal zone. A copy of this report will be sent to MDEQ along with a request for its review and comment.

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<sup>1</sup> Available at [http://www.michigan.gov/documents/dcq/dcq-ess-clm-CMPSTAFFMAP\\_225160\\_7.pdf](http://www.michigan.gov/documents/dcq/dcq-ess-clm-CMPSTAFFMAP_225160_7.pdf).

***(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10905 and explain why.***

CMRY has very good reason to believe that the subject right-of-way is suitable for other, non-transportation purposes, for the reasons set forth in response to Part 3(i), above. If the subject abandonment is authorized by the Board, CMRY anticipates entering into a trails use agreement with DNR, pursuant to which the Line's right-of-way would be used as a recreational trail.

**1105.7(e)(4) Energy**

***(i) Describe the effect of the proposed action on transportation of energy resources.***

The proposed abandonment involves a line of railroad that has not had any local or overhead traffic for well over two years. The line was most recently used for the transport of paper products. For these reasons, the proposed abandonment will have no effect on the transportation of energy resources.

***(ii) Describe the effect of the proposed action on recyclable commodities.***

The proposed abandonment will have no effect on the transportation of recyclable commodities.

***(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.***

The proposed abandonment will have no effect on overall energy efficiency.

***(iv) If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.***

The proposed abandonment will not cause any such rail-to-motor carrier traffic diversions. As indicated above, there is no traffic on the Line, and thus none that would be diverted as a result of abandonment.

**1105.7(e)(5) Air**

***(i) If the proposed action will result in either: (A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or (B) an increase in rail yard activity of at least 100 percent (measured by carload activity), or (C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. 10901 (or 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in sub-section (5)(i)(A) will apply.***

The above thresholds will not be exceeded as a result of the proposed abandonment.

***(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either: (A) an increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line; (B) an increase in rail yard activity of at least 20 percent (measured by carload activity); or (C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State Implementation Plan. However, for a rail construction under 49 U.S.C. 10901 (or 49 U.S.C. 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.***

To the extent that they apply in this case (an out-of-service rail line abandonment), the above thresholds will not be exceeded as a result of abandonment.

***(iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an***



***accidental release of ozone depleting materials in the event of a collision or derailment.***

Not applicable.

**1105.7(e)(6) Noise**

***If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause: (i) an incremental increase in noise levels of three decibels Ldn or more; or (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.***

None of the thresholds identified in item (5)(i) of this section will be exceeded.

**1105.7(e)(7) Safety**

***(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).***

The proposed abandonment will have no detrimental effects on public health and safety. Ten (10) inactive urban rail-highway crossings will be eliminated due to this abandonment. Of these crossings, eight (8) are at-grade, right-angle crossings, one (1) is a grade-separated rail overpass structure, and one (1) is a 2,100 foot long longitudinal or street corridor in which the track is situated in a public street. To the extent that the elimination of the rail crossings improves traffic flow and/or road conditions, then it may be said that the proposed abandonment would benefit public safety.

***(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.***

Not applicable.

***(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.***

CMRY is not aware of any known hazardous material waste sites or sites where known hazardous material spills have occurred on or along the Line's right-of-way.

**1105.7(e)(8) Biological Resources**

***(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.***

The land through which the Line passes is highly developed and urban in nature. For this reason, CMRY does not believe that the proposed abandonment will have an adverse impact on endangered or threatened species or areas designated as a critical habitat. In connection with this issue, CMRY will send a copy of this report to the U.S. Fish and Wildlife Service, along with a request for the agency's review and comment.

***(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.***

CMRY is unaware of any wildlife sanctuaries or refuges, National or State parks or forests adjacent to the Line. Nevertheless, consistent with the Board's notification mandates, CMRY will notify the National Park Service of the proposed abandonment, and, with that notification, will include a request for the agency's review of this report and comment upon it.

**1105.7(e)(9) Water**

***(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.***

CMRY is confident that the proposed abandonment will be accomplished in a manner consistent with applicable water quality standards. In connection with this

matter, CMRY will notify MDEQ and the United States Environmental Protection Agency (“EPA”) of the proposed abandonment, and, with that notification, will include a request for the agencies’ review of this report and their comments upon it.

***(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.***

CMRY believes that no permits under section 404 of the Clean Water Act would be required for the proposed abandonment. In connection with this issue, CMRY will send a copy of this report to the U.S. Army Corps of Engineers – Detroit District, along with a request for their input and comment upon the report.

***(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action.***

CMRY believes that no permits under section 402 of the Clean Water Act would be required for the proposed abandonment. Upon obtaining authority to abandon the Line, any track removal would be accomplished via access over the existing railroad right-of-way, along with existing access over the numerous public streets that cross the Line. CMRY does not intend, to the extent that it will salvage the track, to create any access roads to reach sections of the Line. In addition, CMRY does not intend to perform any activities that would cause sedimentation or erosion of the soil, and it does not anticipate any dredging or use of fill in removal of the track material. No debris would be discarded along the right-of-way as a result of salvage activities, nor would it be placed or deposited into streams or wetlands, or along the banks of such waterways. Any work along the right-of-way will be subject to appropriate measures to prevent or control spills from fuels, lubricants, or any other pollutant materials. And it is for all of the

above reasons that CMRY does not believe that any permits under Section 402 of the Clean Water Act will be required.

As indicated in Section (9)(i), above, CMRY will be sending a copy of this report, along with a request for review and comment, to MDEQ and EPA.

***1105.7(e)(10) Proposed Mitigation***

***Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.***

There will be no adverse environmental impact within the subject project area as a result of the proposed rail line abandonment; therefore, mitigation will not be necessary.

***1105.7(e)(11) Additional Information for Rail Construction***

Not applicable.

**HISTORIC REPORT  
49 CFR 1105.8(d)(1)-(9)**

**1105.8(d)     Proposed Action and Alternatives**

The Board's rules governing Historic Reports require that such reports contain the same information regarding the "proposed action and alternatives" as is required by section 1105.7(e)(1) in connection with Environmental Reports. Because this document is a consolidated Environmental and Historic Report, detailed information concerning the "proposed action and alternatives" is set forth in the preceding Environmental Report section of this document, and CMRY hereby incorporates here by reference the information provided above in response to the requirements of section 1105.7(e)(1).

**49 CFR 1105.8(d)(1) Map**

*A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.*

The right-of-way traverses an urban waterfront area in downtown Grand Rapids, Michigan. A map of the Line, which marks the location of a railroad bridge spanning Monroe Avenue that is over 50 years old, is attached. See Exhibit 2. This map, along with a copy of the subject report is being supplied to the Michigan State Historic Preservation Office for the agency's review and comment.

**49 CFR 1105.8(d)(2) Description of Right-of-Way**

*A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area.*

The Line's right-of-way is approximately 1.75 miles in length, and is generally 50 feet in width, although it is wider near the Line's connections to GR's east-west running

main line at milepost 157.96 and at valuation map marker location 3+00 where track curvature necessitated a wider right-of-way. The subject right-of-way includes nine (9) at-grade crossings and one (1) railroad overpass spanning a public roadway (Monroe Avenue). The railroad overpass over Monroe Avenue is believed to be over 50 years old, measures approximately 70-feet in length and 18 feet in width, and has a vehicular highway clearance of 13'4". The topography around the Line is generally flat and the surrounding area is urban in character.

**49 CFR 1105.8(d)(3) Photographs**

***Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area***

There is only one structure on the Line that is 50 years old or older, the rail line overpass (bridge) just to west of milepost 157.96, on which the Line crosses Monroe Avenue. Photographs of the overpass structure, which also depict the nature of the surrounding area, are attached hereto as Exhibit 3.

**49 CFR 1105.8(d)(4) Background Information on Structures of Interest**

***The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known.***

The lone structure on the Line that CMRY believes to be 50 years old or older is a steel through-girder bridge built in 1905, which spans Monroe Avenue. The bridge is a three-span skewed bridge that measures 72' 2" long and 15' 11-5/8" wide. CMRY knows of no significant alterations to the bridge since it was built, and has no records bearing on any post-construction modification that that structure. As noted below, CMRY acquired the line from the Grand Trunk Western Railroad Company ("GTW") in 1987, and, since that transaction, CMRY has undertaken no modification to the bridge.

**49 CFR 1105.8(d)(5) History of Carrier Operations in the Area**

***A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action.***

CMRY believes that rail service began on this corridor in the early 1900's and was continuous on Segments A and B up until the Grand Rapids Press moved their printing facility off the Line, taking their last delivery in June of 2004. According to records in CMRY's possession, and based on related online investigation, the Line previously was owned by the Grand Rapids Terminal Railroad Company ("GRTC") and operated by the Detroit, Grand Haven & Milwaukee Railway Company ("DGMR"). Both GRTC and DGMR appear to have become part of GTW in 1928. It appears that the Line was part of GRTC's (and then GTW's) terminal operations in Grand Rapids, and was a branch line feeding into the DGMR/GTW main line from Detroit to Grand Haven (on the eastern shore of Lake Michigan). GTW sold the Line to CMRY as part of a transaction that took place in 1987. The Line corridor remains intact, and, although it has not seen any local or overhead traffic since Grand Rapids Press terminated shipments over it, CMRY has, since 2004, used portions of the Line on occasion for railcar storage. CMRY has very little, if any, additional information regarding the history of the Line.

**49 CFR 1105.8(d)(6) Summary of Documents in CMRY's Possession**

***A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic.***

CMRY has very few documents in its possession that may offer further information regarding the bridge and/or any possible historic characteristics of it. For example, CMRY does not have any engineering drawing so f the bridge. CMRY does,

however, have a bridge inspection report, dated April 2007, prepared by HNTB, a transportation consulting firm. If requested, CMRY can provide copies of this report.

**49 CFR 1105.8(d)(7) Opinion Regarding Historic Character of Structures**

***An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities).***

As reflected above, review of CMRY records indicates only one structure exists on the Line that is more than 50 years old – the above-described rail bridge overpass spanning Monroe Avenue. CMRY is unaware of any significant or unique aspects to this bridge that would cause it to be a serious candidate for listing on the National Register of Historic Places, and therefore CMRY is of an opinion that the bridge likely would not qualify for such listing. CMRY is also unaware of any archeological resources or any other previously unknown historic properties on the right-of-way.

**49 CFR 1105.8(d)(8) Known Ground Disturbance or Environmental Conditions**

***A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.***

A portion of the Line was constructed on a series of cut and fills which appear to date back to the Line's original construction. (CMRY has no records to confirm that the subject cut and fills are original to the line, but it is CMRY's opinion that this is the case.) Over the years, track work and or construction likely took place on the Line, while it was still in operation. Original track construction, and subsequent track work and



maintenance may have disturbed the potential for recovery of archaeological resources .  
along the Line. CMRY is not aware of any environmental conditions that would  
otherwise affect the archaeological recovery of resources.

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- ABANDONMENT EXEMPTION -  
LINE IN KENT COUNTY, MI**

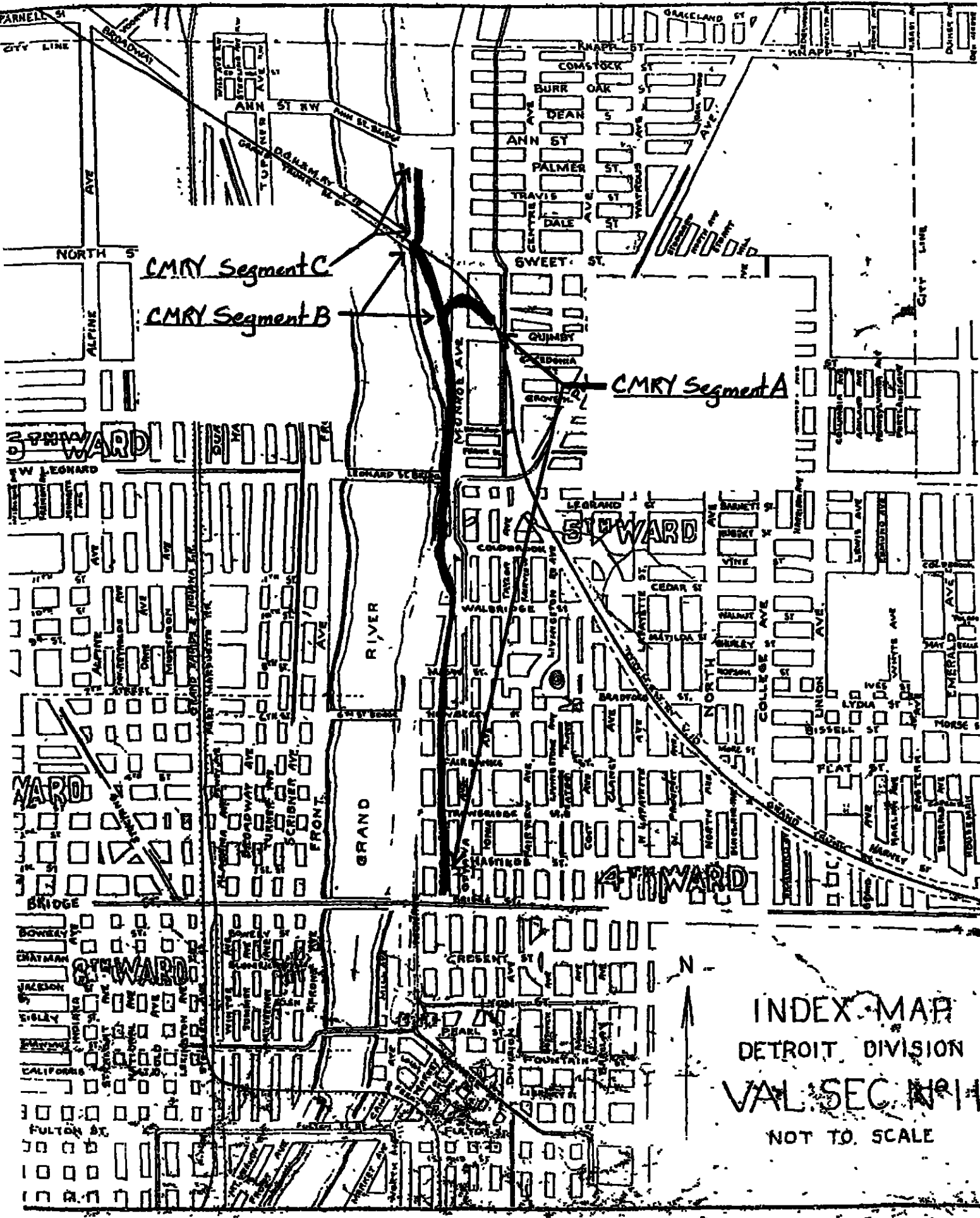
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**ENVIRONMENTAL AND HISTORIC REPORT**

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**EXHIBIT 1,**

**MAPS**



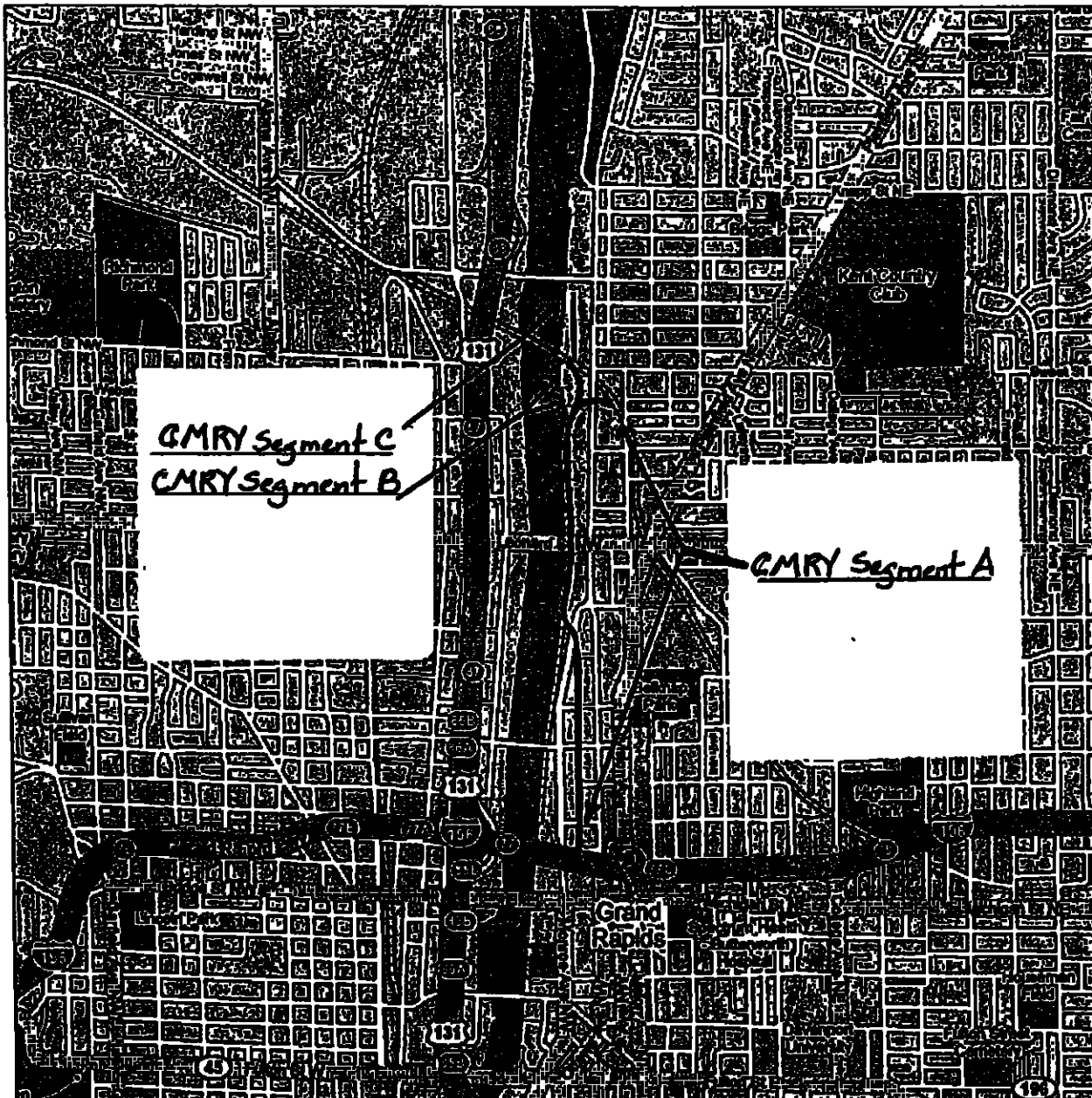
INDEX MAP  
DETROIT DIVISION  
VAL SEC. N° 14  
NOT TO SCALE



Address Grand Rapids, MI

Get Google Maps on your phone

Text the word "GMAPS" to 466453



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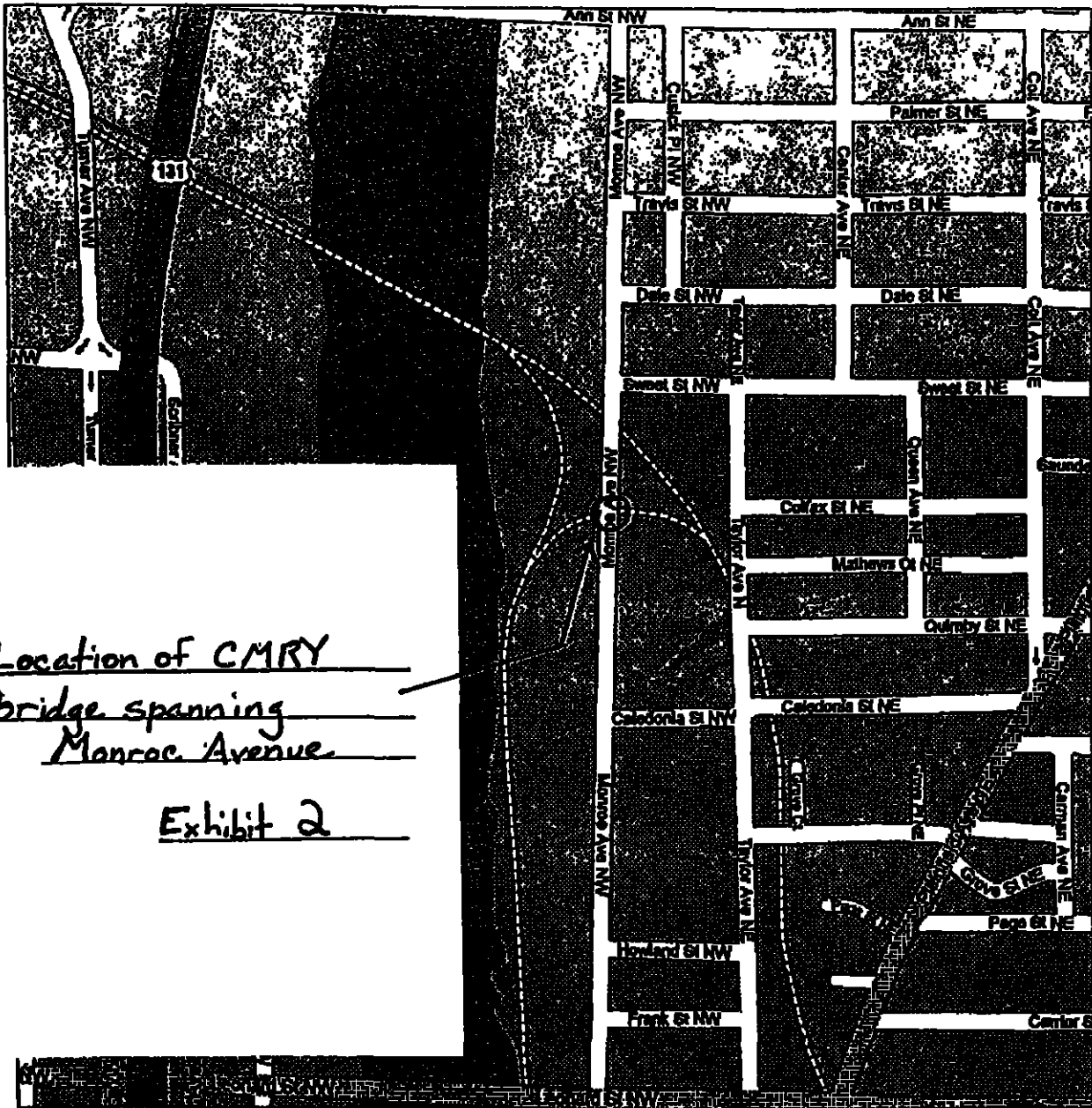
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**ENVIRONMENTAL AND HISTORIC REPORT**

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**EXHIBIT 2**

**MAP DEPICTING LOCATION OF  
MONROE AVENUE BRIDGE**



Location of CMRY  
bridge spanning  
Monroe Avenue.

Exhibit 2

**BEFORE THE  
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LINE IN KENT COUNTY, MI**

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**ENVIRONMENTAL AND HISTORIC REPORT**

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**EXHIBIT 3**

**MONROE AVENUE BRIDGE  
PHOTOS**



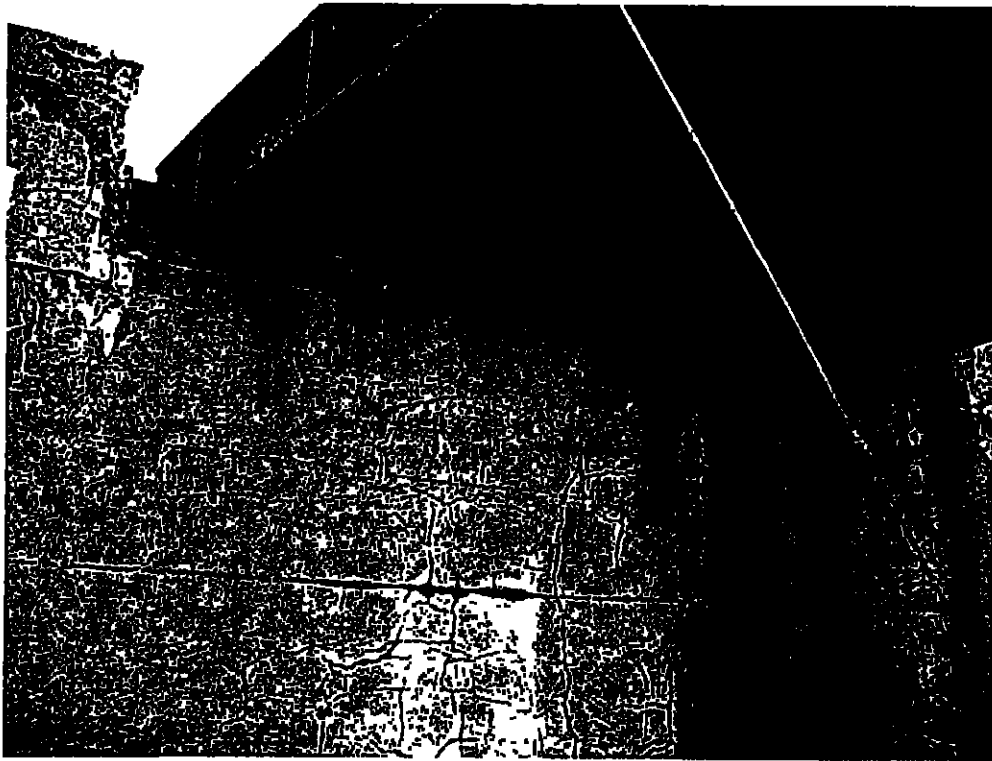
Photograph #1:  
Elevation view looking north.

– Monroe Avenue South.

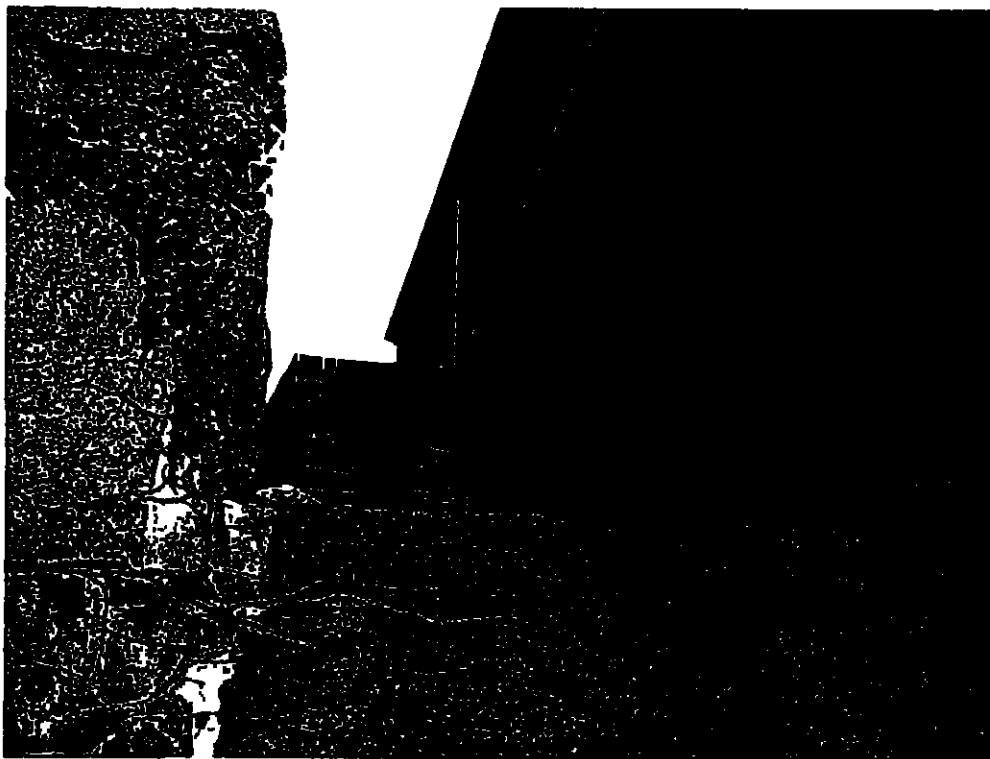


Photograph #2: Bridge underside of middle span. Looking southwest.





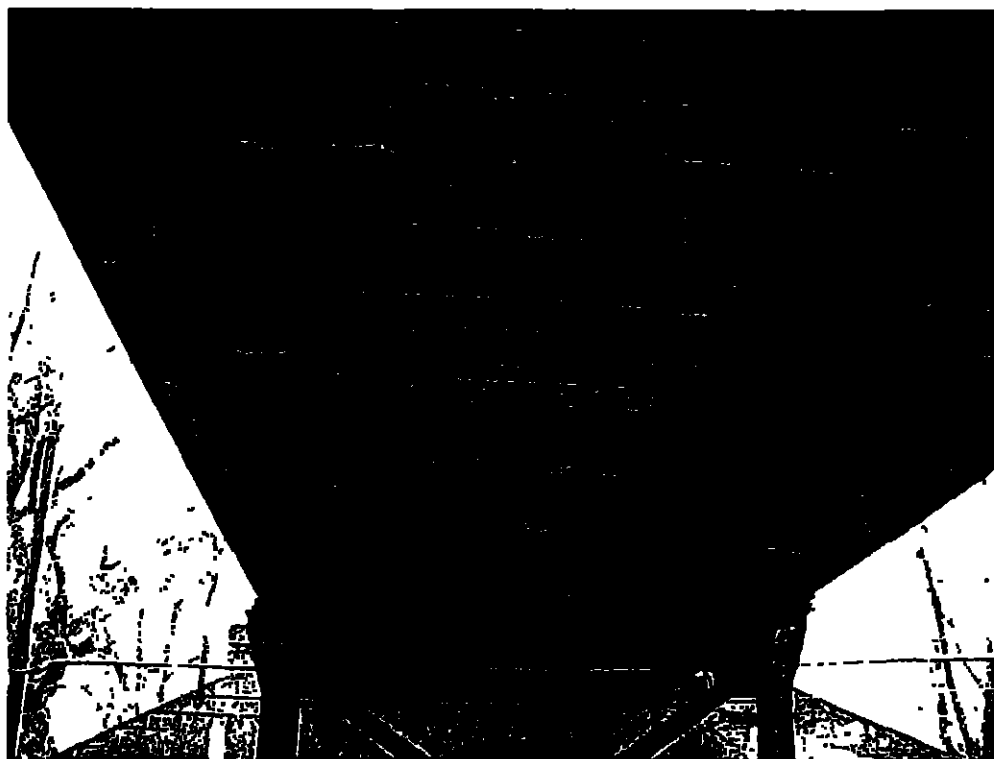
**Photograph #3: Bridge underside of east abutment span. Looking southeast.**



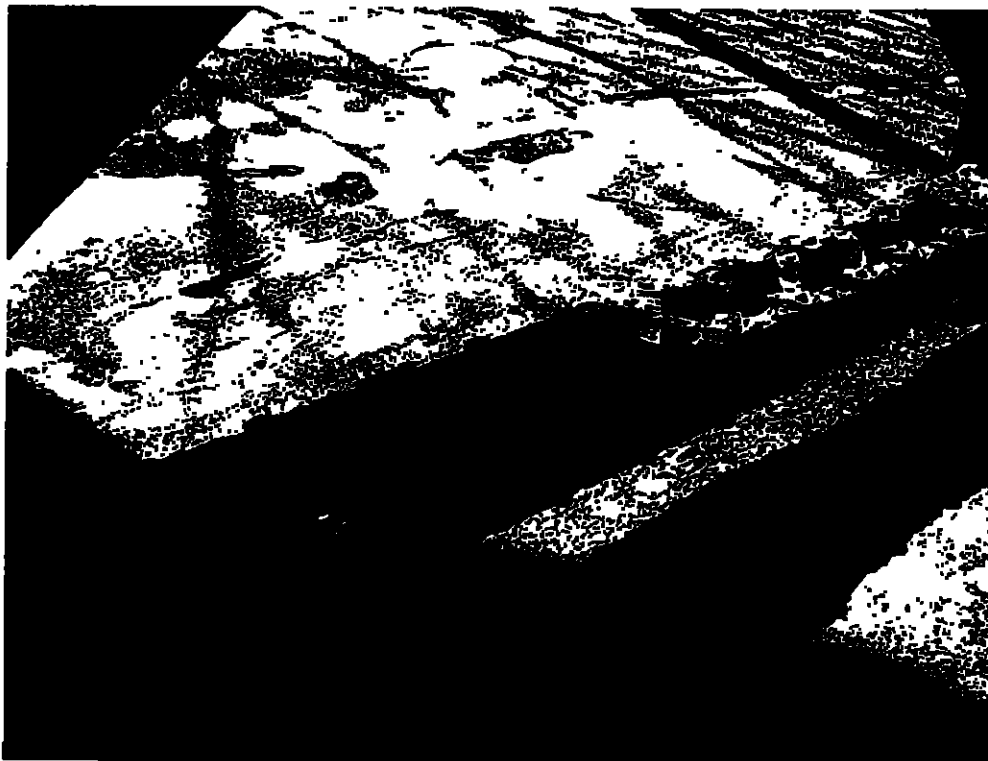
**Photograph #4: Northeast timber bearing. Looking east.**



**Photograph #5: Southeast wingwall spalling along the top part. Looking east.**



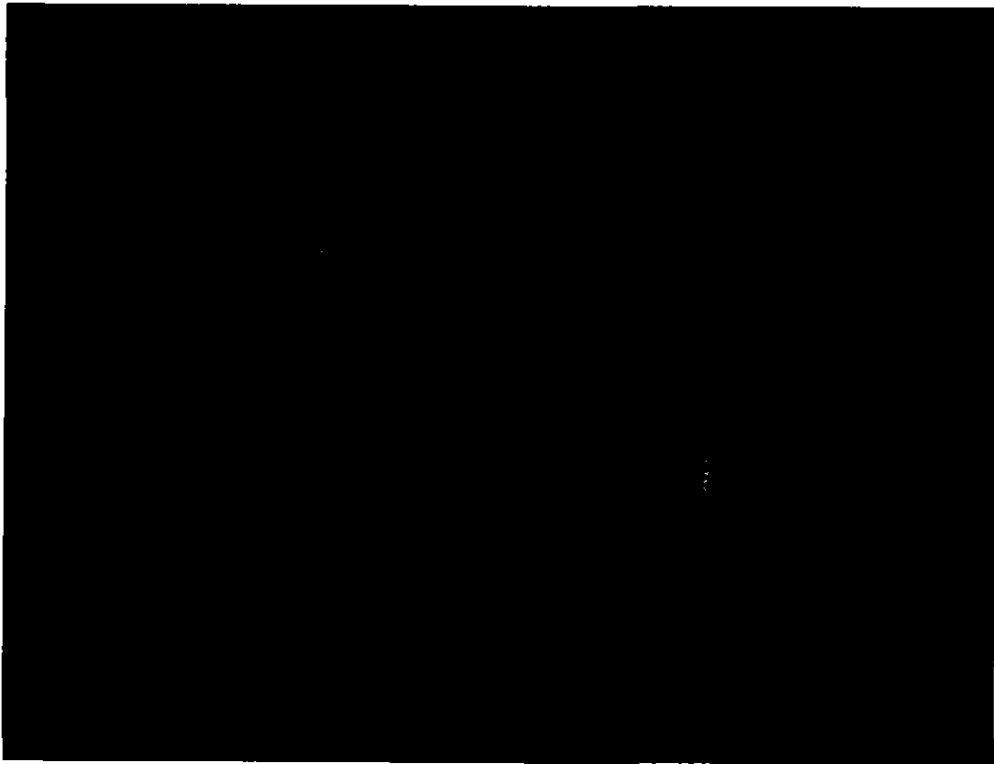
**Photograph #6: Bridge underside of main span. Looking east**



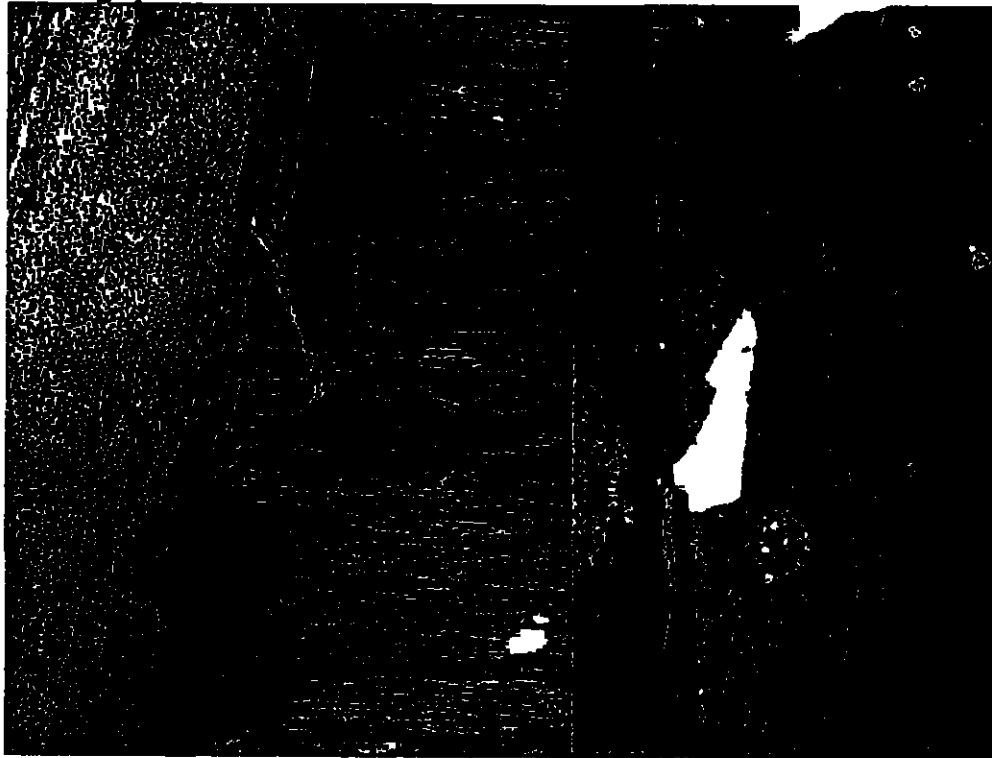
**Photograph #7: Deteriorated lacing bars of bottom bracing member at the west bent. Looking east.**



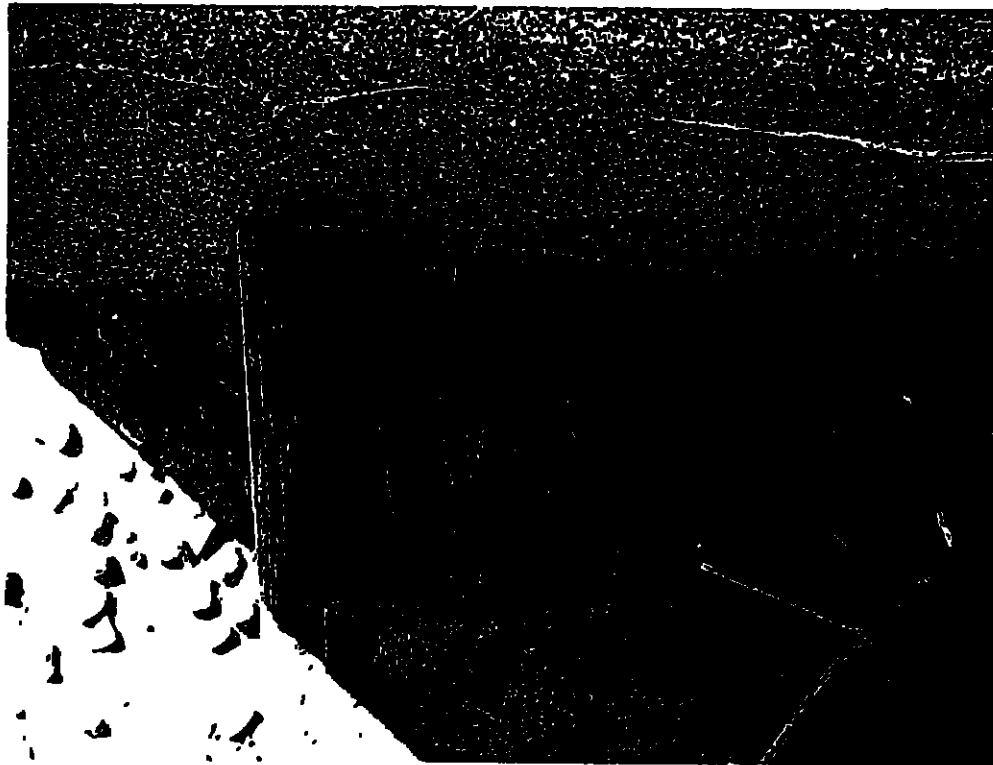
**Photograph #8: West bent bottom bracing member deteriorated connection at the south end. Looking southeast**



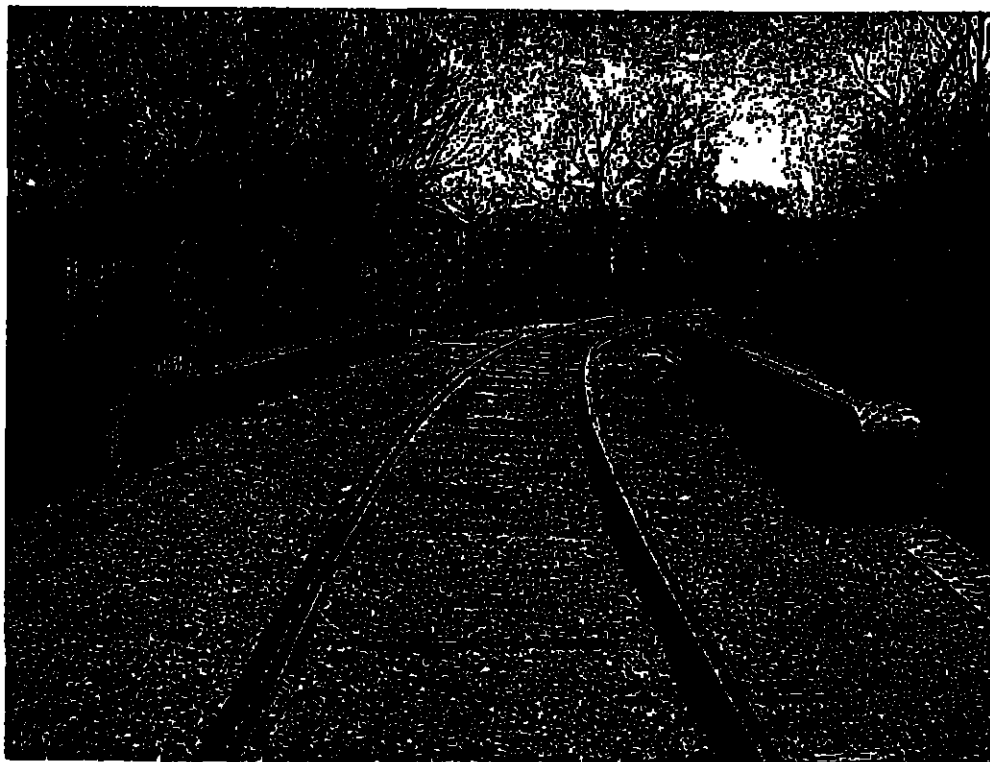
**Photograph #9: Clogged drain hole on the steel deck plate. Underside of east abutment span looking up.**



**Photograph #10: Southeast timber bearing looking down.**



Photograph #11: Cracked southwest timber bearing looking down



Photograph #12: Out-of-service railroad track looking east.



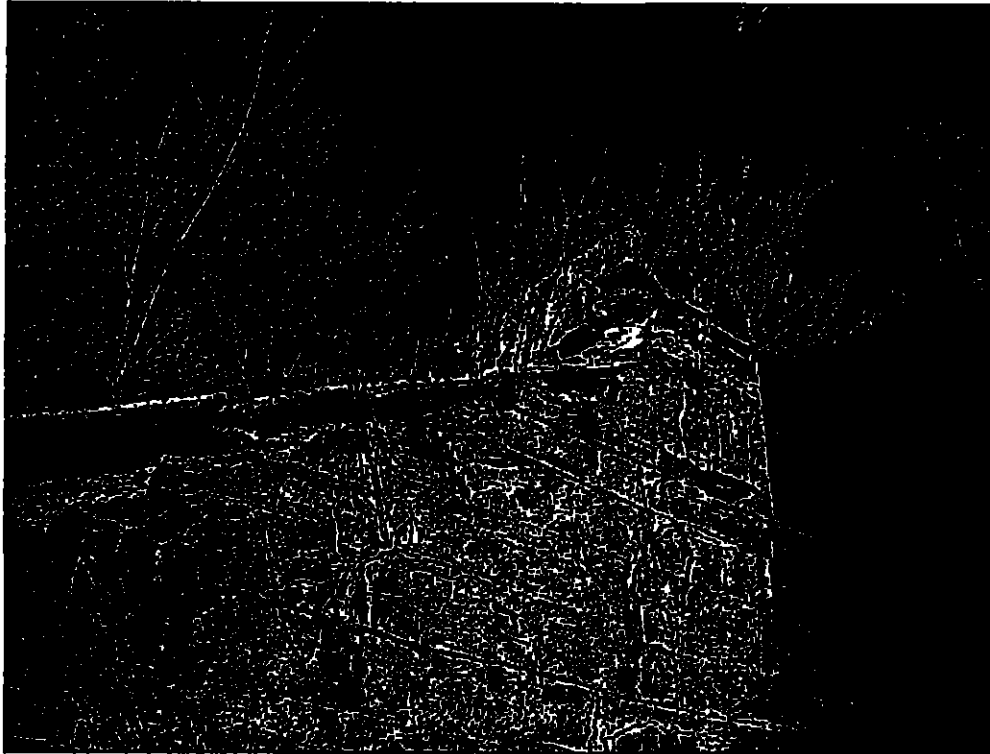
Photograph #13: Erosion of soil material around drain hole located near the bridge midspan. Looking down.



Photograph #14: Spalling on the southeast wingwall. Looking southeast



**Photograph #15: Spalling and deterioration of the southeast wingwall. Looking southeast.**



**Photograph #16: Spalling and deterioration of the southwest wingwall. Looking northwest.**

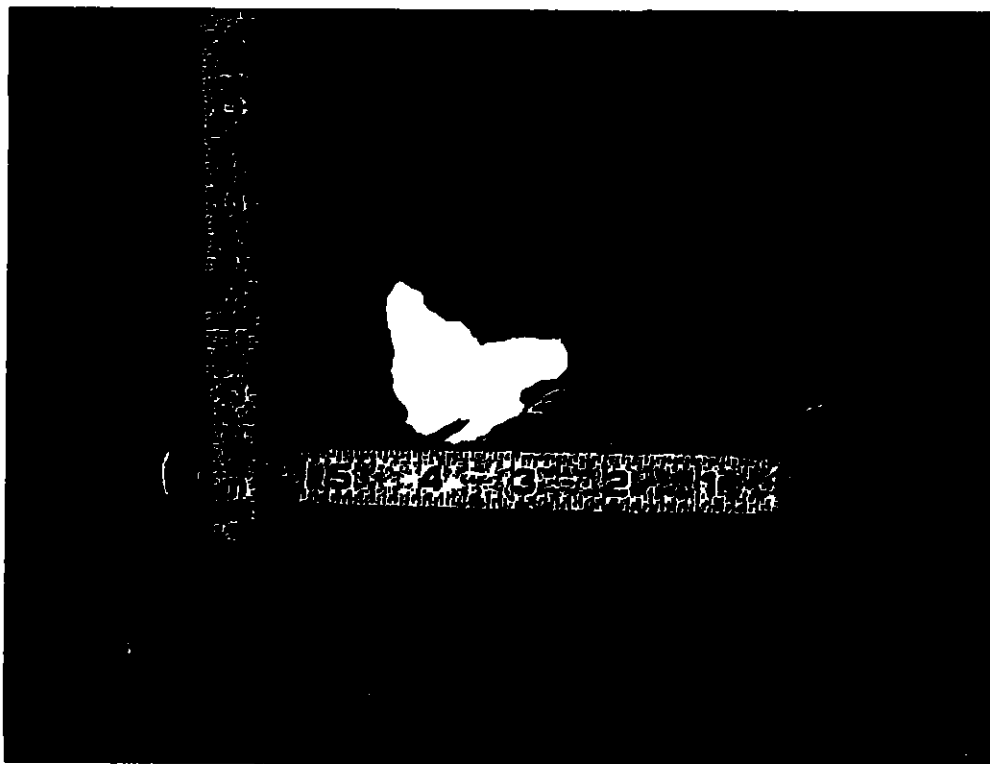


**Photograph #17: Deterioration of southwest wingwall near ground level. Looking southwest.**

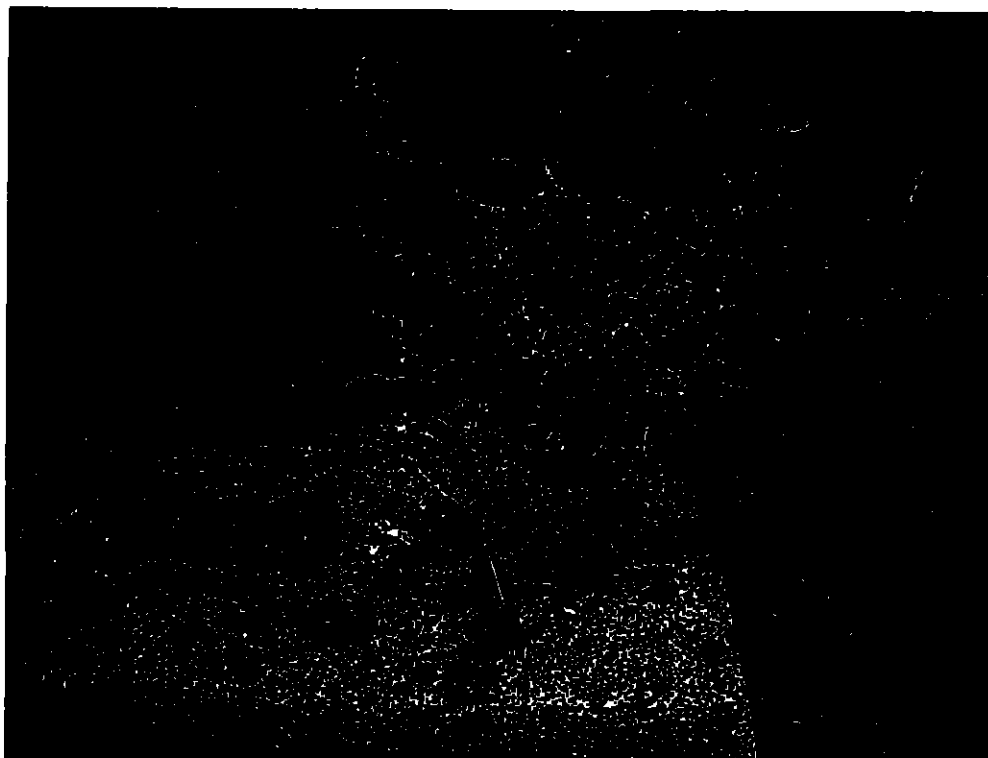


**Photograph #18: Web hole in the southwest column web. Looking north.**

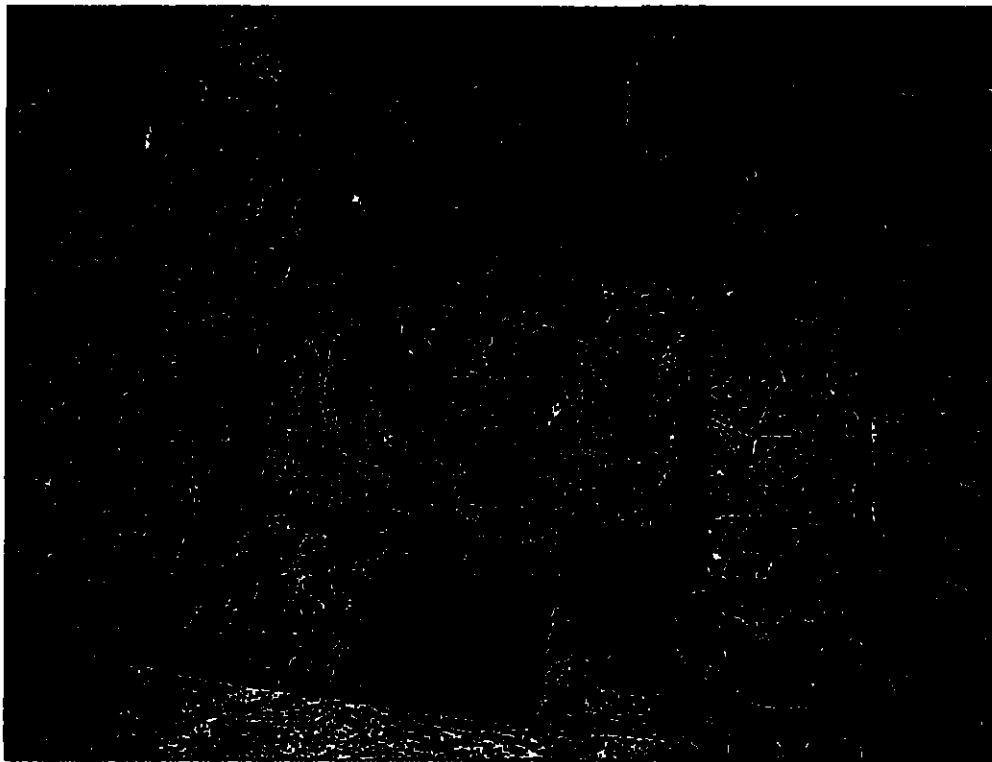




**Photograph #19: Web hole in the northwest column. Looking south.**



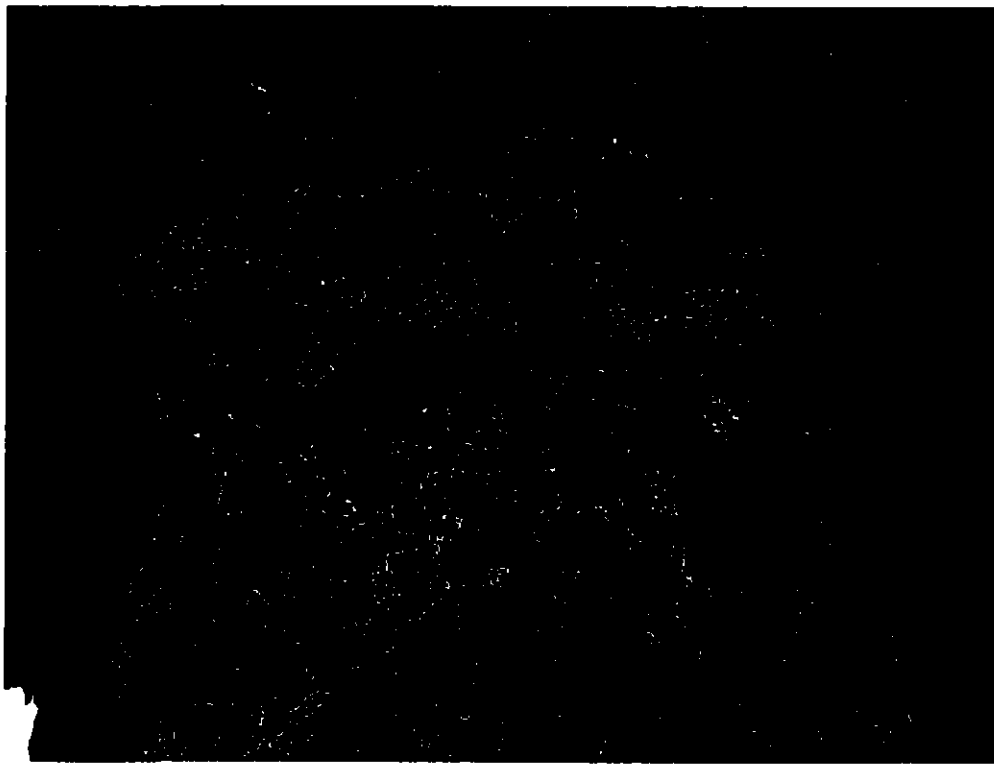
**Photograph #20: Gusset plate section loss on the northeast column. Looking east.**



**Photograph #21: Damaged northeast column flange. Looking north.**



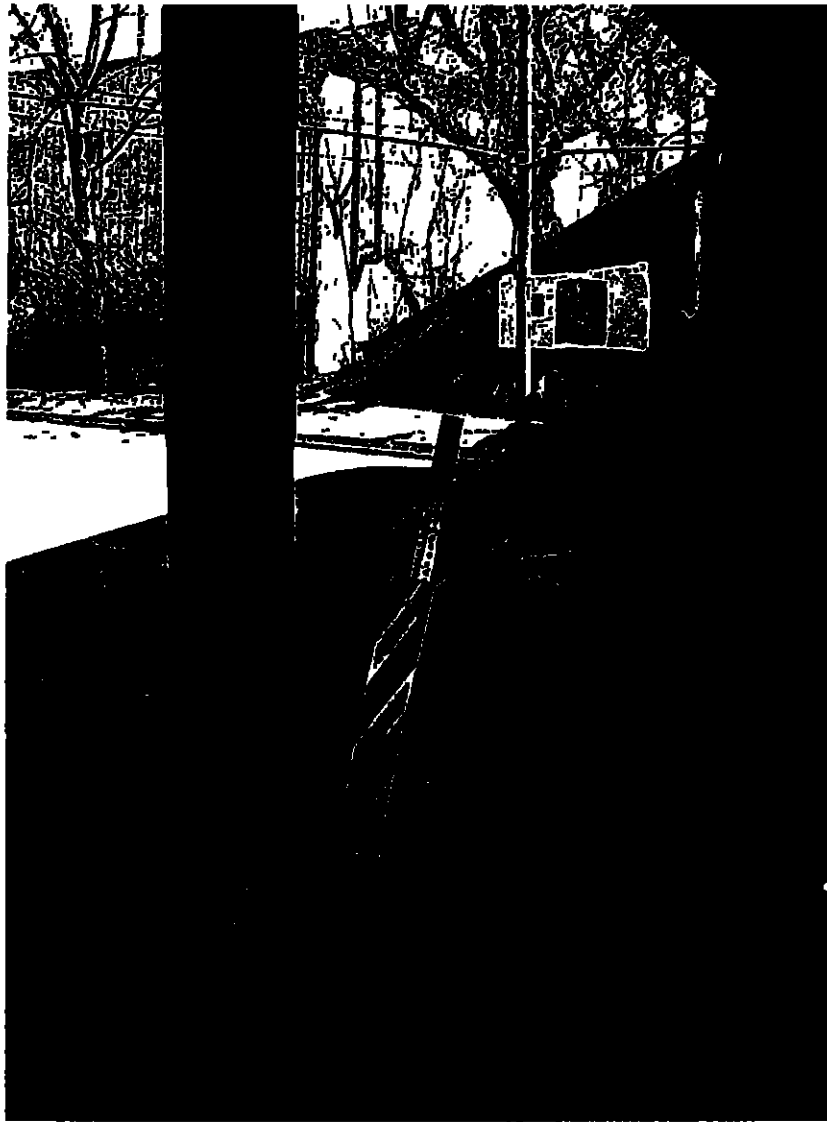
**Photograph #22: Web hole in the southeast column. Looking north.**



**Photograph #23: Deteriorated northeast column and bottom bracing connection. Looking down and north.**



**Photograph #24: Full height vertical crack at the center of east abutment wall. Looking east.**



**Photograph #25: Damaged traffic sign near the northwest column. Looking northeast.**

**Certificate of Publication**

**49 CFR 1105.12 – Newspaper Notice**

I certify that a "Notice of Intent to Abandon" was published in the form prescribed by the Board for an abandonment notice of exemption. The notice was published on March 4, 2009 in the Grand Rapids Press, a newspaper of general circulation in Kent County, MI, where the Line is located. (See attached proof of publication.)

March 12, 2009



Robert A. Wimbish

Attorney for Michigan Central Railway Company

**AFFIDAVIT OF PUBLICATION**

State of Michigan,) ss

County of Kent)

Sheryl L DeVriendt being duly sworn, deposes and says that he/  
principal clerk of the Grand Rapids Press; that said Grand Rapids  
a newspaper published and circulated in the County of Kent, and  
attached notice has been duly published in said newspaper on the  
following dates:

March 04, 2009

Customer Name:

**BAKER AND MILLER PLLC**

*Sheryl L. DeVriendt*  
Sheryl L DeVriendt

Subscribed and sworn to before me this 4th day of March A.D.

*Diane F. Fase*

Diane F. Fase NOTARY PUBLIC IN AND FOR THE COUNTY OF KENT, STATE OF MICHIGAN

My Commission Expires: February 19, 2014

DIANE F. FASE  
Notary Public, State of Michigan  
County of Kent  
My Commission Expires 02/19/2014  
Acting in the County of Kent

**NEWSPAPER NOTICE**

Central Michigan Railway Company (CMRY) has notice that on or after March 12, 2009 it intends to file with the Surface Transportation Board (STB) 395 E Street, SW, Washington, DC 20423 a Notice of Exemption pursuant to 49 CFR 1152 Subpart F-Exempt Abandonments (permitting the abandonment of approximately 11.75 miles of rail line (the line) as follows: (1) a line (hereafter, "Segment A") extending from milepost 157.96 (at the switch connection with the east-west aligned tracks of the Grand Rapids Eastern Railroad (GRR) near the intersection of Mylar Avenue and Quimby Street) through valuation map marker location 9+87.2 (the location of the south wye or Press Track (switch adjacent to Monroe Avenue) and continuing southward to the end of the track at a point immediately north of Michigan Street Bridge Street; (2) a line (hereafter, "Segment B") extending from valuation map marker location 3+00 (at a switch connection with a line of GR immediately at the east end of the GR bridge spanning the Grand River) to a connection with Segment A at valuation map marker 9+87.2 (at the south wye switch); and (3) a line (hereafter, "Segment C") extending from valuation map marker location 0+00 (at a point of connection with the east-west aligned GR line immediately to the east of the GR line's bridge spanning the Grand River) due northward to valuation map marker location 1+15.0 (approximately 250 feet south of Ann Street). The line traverses through United States Postal Service ZIP Codes 49503 and 49505 in Grand Rapids, Kent County, Michigan. The proceeding has been docketed as No. AB-308 (Sub-No. 4X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA) which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, 395 E Street, SW, Washington, DC 20423 or by calling SEA at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 395 E Street, SW, Washington, DC 20423, and one copy must be served on applicant's representative. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Assistance (Governmental Affairs and Compliance Section of External Affairs) at (202) 245-0236. Copies of any comments or requests for conditions should be served on the applicant's representative: William A. Mulins, Baker & Miller, PLLC, 2401 Pennsylvania Ave., N.W., Suite 300, Washington, DC 20037, (202) 663-7823.

314271-20

**AFFIDAVIT OF PUBLICATION  
GRAND RAPIDS PRESS  
GRAND RAPIDS, MICHIGAN**

**IN THE MATTER OF**

**BAKER AND MILLER PLLC  
2401 PENNSYLVANIA AVE NW  
SUITE 300  
WASHINGTON DC 20037**

Received and filed this 4th day of March A.D. 2009

0003145851

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. AB-308 (SUB-NO. 4X)**

---

**CENTRAL MICHIGAN RAILWAY COMPANY  
- ABANDONMENT AND DISCONTINUANCE OF SERVICE EXEMPTION -  
LINE IN KENT COUNTY, MI**

---

**EXEMPTION NOTICE**

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**EXHIBIT E**

**ENVIRONMENTAL AND HISTORIC REPORT**



**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

---

**STB DOCKET NO. 308 (SUB-NO. 4X)**

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**CENTRAL MICHIGAN RAILWAY COMPANY  
- ABANDONMENT EXEMPTION -  
LINE IN KENT COUNTY, MI**

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**ENVIRONMENTAL AND HISTORIC REPORT**

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In connection with the above-captioned proceeding, Central Michigan Railway Company ("CMRY") intends to file a notice of exemption with the U.S. Surface Transportation Board ("STB" or "Board") to abandon interconnected rail lines located in Grand Rapids, Kent County, Michigan. In accordance with the requirements of 49 CFR 1105.7 (Environmental Reports) and 1105.8 (Historic Reports), which provisions apply to rail line abandonments (including, as is the case here, a rail line abandonment under the notice of exemption procedures at 49 CFR Part 1152, Subpart F), CMRY hereby submits its consolidated Environmental and Historic Report

**ENVIRONMENTAL REPORT  
49 CFR 1105.7(e)(1)-(11)**

***49 CFR 1105.7(e)(1) Proposed Action and Alternatives***

***Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.***

Central Michigan Railway Company ("CMRY") proposes to abandon approximately 1.75-miles of essentially interconnected rail line (the "Line") as follows:

(1) a line (hereafter, "Segment A") extending from milepost 157.96 (at the switch connection with the east-west aligned tracks of the Mid-Michigan Railroad, Inc. ("MMR" – formerly, the Grand Rapids Eastern Railroad) near the intersection of Taylor Avenue and Quimby Street) through valuation map marker location 9+87.2 (the location of the south wye, or Press Track, switch adjacent to Monroe Avenue) and continuing southward to the end of the track at a point immediately north of Bridge Street; (2) a line (hereafter, "Segment B") extending from valuation map marker location 3+00 (at a switch connection with a line of MMR immediately at the east end of the MMR bridge spanning the Grand River) to a connection with Segment A at valuation map marker 9+87.2 (at the south wye switch); and (3) a line (hereafter, "Segment C") extending from valuation map marker location 0+00 (at a point of connection with the east-west aligned MMR line immediately to the east of the MMR line's bridge spanning the Grand River) due northward to valuation map marker location 11+15.0 (approximately 250 feet south of Ann Street). The Line is located entirely in the City of Grand Rapids, Kent County, Michigan. By utilizing the two-year-out-of-service notice of exemption procedures at

49 CFR 1152.50, CMRY anticipates that it will obtain authority to abandon the Line fifty (50) days after CMRY's notice of exemption is filed with the U S. Surface Transportation Board.

As information, CMRY purchased the Line from the Grand Trunk Western Railroad Company ("GTW") in 1987. Thereafter, CMRY used Segments A and B of the Line to transport inbound paper to The Grand Rapids Press ("GRP") in downtown Grand Rapids until GRP moved its production facility to Walker, Michigan. CMRY last provided rail service to GRP at Grand Rapids in June 2004. The portion of the Line representing Segment C has been out of service since CMRY acquired it from GTW in 1987. There are no other customers on the Line, there have not been any other active shippers on the Line for more than two years, and, as stub-ended branches, the Line has not handled any overhead traffic for over two years (if it ever did). With no potential traffic, and in furtherance of the plans of the State of Michigan to utilize the subject property for recreational purposes as discussed below, CMRY has decided to seek STB authorization to abandon the Line.

Following the effective date of the proposed exemption notice, CMRY anticipates that, where feasible, it would remove the rail and other salvageable materials from the Line's roadbed. Following such salvage activity, CMRY anticipates that the Line's right-of-way would be conveyed to the Michigan Department of Natural Resources ("DNR") for recreational use pursuant to the interim trails use and rail banking provisions of 16 U.S.C. 1247(d) and 49 CFR 1152.29.

The only alternative to abandonment would be not to abandon the Line and allow it to remain an inactive CMRY asset. Because the Line has been inactive for some time,

it has not been the subject of any regular maintenance. Accordingly, the proposed abandonment would not result in any material changes to CMRY's operations or maintenance practices.

Maps of the Line proposed to be abandoned are attached hereto as Exhibit 1.

**1105.7(e)(2) Transportation System**

***Describe the effects of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.***

No passenger or freight traffic will be diverted to other modes as a result of the proposed abandonment. GRP was the only shipper on the Line, and it ceased ordering shipments via the Line more than four years ago. Hence, no rail passenger or freight traffic will be diverted to other modes of transportation as a result of the proposed action, and, accordingly, the proposed abandonment should have no adverse effects on regional or local transportation systems and patterns.

**1105.7(e)(3) Land Use**

***(i) Based on consultation with local and/or regional planning agencies and/or a review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.***

CMRY considers the proposed abandonment to be consistent with existing local land use plans. The land adjoining the Line is mainly urban in character and is comprised currently of zoning districts ranging from institutional, industrial, commercial, parking lots, parks and high density residential.

CMRY bases its analysis upon a review of the City of Grand Rapids Master Plan 2002 (the "Master Plan"). The Master Plan recommends a change in land use along the

riverfront north of I-196 and west of Monroe Avenue (the area in which the Line is located) from industrial to mixed use, with a preference for the following: additional open space, continuous public access along the river edge, and medium and high-density residential development along the riverfront. The proposed abandonment is intended to facilitate recreational trails use, and, in fact, would not have been initiated but for CMRY's decision to work with DNR toward such an objective. For these reasons, CMRY believes that the proposed abandonment is consistent with the Master Plan.

A draft copy of this report has been sent to the City of Grand Rapids and Kent County, along with a request for their review and comment. To date, CMRY has received no response from these entities. Should these entities respond later to CMRY's request for review and comment, CMRY promptly will forward relevant information to the Board.

***(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agricultural land.***

The proposed abandonment would take place within a highly-developed, urban area in the City of Grand Rapids. As such, it is highly unlikely that there is any prime agricultural land that would be affected by the proposed abandonment. A draft copy of this report has been sent to the United States Department of Agriculture ("USDA") Soil Conservation Service along with a request for its review and comment. To date, CMRY has received no response from USDA, but, should the agency respond later to CMRY's request for review and comment, CMRY promptly will forward relevant information to the Board.

***(iii) If the action affects land or water uses within a designated coastal zone, include the coastal zone information required by 1105.9.***

Based upon review of a Michigan Department of Environmental Quality ("MDEQ") Coastal Zone Management Program map<sup>1</sup> and preliminary consultation with MDEQ Coast Zone Program staff, CMRY understands that the Line does not pass through a designated coastal zone. A copy of this report has been sent to MDEQ along with a request for its review and comment. To date, CMRY has received no response from MDEQ, but, should the agency respond later to CMRY's request for review and comment, CMRY promptly will forward relevant information to the Board.

***(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. 10905 and explain why.***

CMRY has very good reason to believe that the subject right-of-way is suitable for other, non-transportation purposes, for the reasons set forth in response to Part 3(i), above. If the subject abandonment is authorized by the Board, CMRY anticipates entering into a trails use agreement with DNR, pursuant to which the Line's right-of-way would be used as a recreational trail.

**1105.7(e)(4) Energy**

***(i) Describe the effect of the proposed action on transportation of energy resources.***

The proposed abandonment involves a line of railroad that has not had any local or overhead traffic for well over two years. The line was most recently used for the transport of paper products. For these reasons, the proposed abandonment will have no effect on the transportation of energy resources

***(ii) Describe the effect of the proposed action on recyclable commodities.***

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<sup>1</sup> Available at [http://www.michigan.gov/documents/deq/deq-ess-clm-CMPSTAFFMAP\\_225160\\_7.pdf](http://www.michigan.gov/documents/deq/deq-ess-clm-CMPSTAFFMAP_225160_7.pdf).

The proposed abandonment will have no effect on the transportation of recyclable commodities.

***(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.***

The proposed abandonment will have no effect on overall energy efficiency.

***(iv) If the proposed action will cause diversions from rail to motor carriage of more than: (A) 1,000 rail carloads a year; or (B) an average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in energy consumption and show the data and methodology used to arrive at the figure given.***

The proposed abandonment will not cause any such rail-to-motor carrier traffic diversions. As indicated above, there is no traffic on the Line, and thus none that would be diverted as a result of abandonment.

***1105.7(e)(5) Air***

***(i) If the proposed action will result in either: (A) An increase in rail traffic of at least 100 percent (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of rail line affected by the proposal, or (B) an increase in rail yard activity of at least 100 percent (measured by carload activity), or (C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions. For a proposal under 49 U.S.C. 10901 (or 10505) to construct a new line or reinstitute service over a previously abandoned line, only the eight train a day provision in sub-section (5)(i)(A) will apply.***

The above thresholds will not be exceeded as a result of the proposed abandonment.

***(ii) If the proposed action affects a class I or nonattainment area under the Clean Air Act, and will result in either: (A) an increase in rail traffic of at least 50 percent (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line; (B) an increase in rail yard activity of at least 20 percent (measured by carload activity); or (C) an average increase in truck traffic of more than 10 percent of the average daily traffic or 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by the State***

***Implementation Plan. However, for a rail construction under 49 U.S.C. 10901 (or 49 U.S.C. 10505), or a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.***

To the extent that they apply in this case (an out-of-service rail line abandonment), the above thresholds will not be exceeded as a result of abandonment.

***(iii) If transportation of ozone depleting materials (such as nitrogen oxide and freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.***

Not applicable.

***1105.7(e)(6) Noise***

***If any of the thresholds identified in item (5)(i) of this section are surpassed, state whether the proposed action will cause: (i) an incremental increase in noise levels of three decibels Ldn or more; or (ii) an increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g., schools, libraries, hospitals, residences, retirement communities and nursing homes) in the project area, and quantify the noise increase for these receptors if the thresholds are surpassed.***

None of the thresholds identified in item (5)(i) of this section will be exceeded.

***1105.7(e)(7) Safety***

***(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad grade crossings).***

The proposed abandonment will have no detrimental effects on public health and safety. Ten (10) inactive urban rail-highway crossings will be eliminated due to this abandonment. Of these crossings, eight (8) are at-grade, right-angle crossings, one (1) is a grade-separated rail overpass structure, and one (1) is a 2,100 foot long longitudinal or street corridor in which the track is situated in a public street. To the extent that the



elimination of the rail crossings improves traffic flow and/or road conditions, then it may be said that the proposed abandonment would benefit public safety.

***(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills; and the likelihood of an accidental release of hazardous materials.***

Not applicable.

***(iii) If there are any known hazardous waste sites or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.***

CMRY is not aware of any known hazardous material waste sites or sites where known hazardous material spills have occurred on or along the Line's right-of-way.

#### **1105.7(e)(8) Biological Resources**

***(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.***

The land through which the Line passes is highly developed and urban in nature. For this reason, CMRY does not believe that the proposed abandonment will have an adverse impact on endangered or threatened species or areas designated as a critical habitat. In connection with this issue, CMRY has sent a copy of this report to the U.S. Fish and Wildlife Service, along with a request for the agency's review and comment. By email received by CMRY on March 10, 2009, Tameka Dandridge of the U.S. Fish & Wildlife Service, East Lansing Field Office, 2651 Coolidge Rd., Suite 101, East Lansing, MI 48823 (517-351-8315; [tameka\\_dandridge@fws.gov](mailto:tameka_dandridge@fws.gov)) advised that the proposed abandonment would not have any adverse impact on any listed species or their habitat, inasmuch as no such species or habitat are known to exist in the urban project area.

***(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.***

CMRY is unaware of any wildlife sanctuaries or refuges, National or State parks or forests adjacent to the Line. Nevertheless, consistent with the Board's notification

mandates, CMRY has notified the National Park Service of the proposed abandonment, and, with that notification, included a request for the agency's review of this report and comment upon it. To date, CMRY has not received a response from the National Park Service, but, should the agency respond later to CMRY's request for review and comment, CMRY promptly will forward relevant information to the Board.

***1105.7(e)(9) Water***

***(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.***

CMRY is confident that the proposed abandonment will be accomplished in a manner consistent with applicable water quality standards. In connection with this matter, CMRY has notified MDEQ and the United States Environmental Protection Agency ("EPA") of the proposed abandonment, and, with that notification, included a request for the agencies' review of this report and their comments upon it. To date, CMRY has not received a response from MDEQ or EPA, but, should these agencies respond later to CMRY's request for review and comment, CMRY promptly will forward relevant information to the Board.

***(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under section 404 of the Clean Water Act (33 U.S.C. 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.***

CMRY believes that no permits under section 404 of the Clean Water Act would be required for the proposed abandonment. In connection with this issue, CMRY has sent a copy of this report to the U.S. Army Corps of Engineers – Detroit District ("USACE"), along with a request for its input and comment upon the report. To date, CMRY has not received a response from USACE, but, should the agency respond later to

CMRY's request for review and comment, CMRY promptly will forward relevant information to the Board.

***(iii) State whether permits under section 402 of the Clean Water Act (33 U.S.C. 1342) are required for the proposed action.***

CMRY believes that no permits under section 402 of the Clean Water Act would be required for the proposed abandonment. Upon obtaining authority to abandon the Line, any track removal would be accomplished via access over the existing railroad right-of-way, along with existing access over the numerous public streets that cross the Line. CMRY does not intend, to the extent that it will salvage the track, to create any access roads to reach sections of the Line. In addition, CMRY does not intend to perform any activities that would cause sedimentation or erosion of the soil, and it does not anticipate any dredging or use of fill in removal of the track material. No debris would be discarded along the right-of-way as a result of salvage activities, nor would it be placed or deposited into streams or wetlands, or along the banks of such waterways. Any work along the right-of-way will be subject to appropriate measures to prevent or control spills from fuels, lubricants, or any other pollutant materials. And it is for all of the above reasons that CMRY does not believe that any permits under Section 402 of the Clean Water Act will be required.

As indicated in Section (9)(1), above, CMRY sent a copy of this report, along with a request for review and comment, to MDEQ and EPA, but has not yet received a response from either agency.

***1105.7(e)(10) Proposed Mitigation***

***Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.***

There will be no adverse environmental impact within the subject project area as a result of the proposed rail line abandonment; therefore, mitigation will not be necessary.

***1105.7(e)(11) Additional Information for Rail Construction***

Not applicable.

**HISTORIC REPORT  
49 CFR 1105.8(d)(1)-(9)**

**1105.8(d)      Proposed Action and Alternatives**

The Board's rules governing Historic Reports require that such reports contain the same information regarding the "proposed action and alternatives" as is required by section 1105.7(c)(1) in connection with Environmental Reports. Because this document is a consolidated Environmental and Historic Report, detailed information concerning the "proposed action and alternatives" is set forth in the preceding Environmental Report section of this document, and CMRY hereby incorporates here by reference the information provided above in response to the requirements of section 1105.7(e)(1).

**49 CFR 1105.8(d)(1) Map**

***A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action.***

The right-of-way traverses an urban waterfront area in downtown Grand Rapids, Michigan. A map of the Line, which marks the location of a railroad bridge spanning Monroe Avenue that is over 50 years old, is attached See Exhibit 2. This map, along with a copy of the subject report has been supplied to the Michigan State Historic Preservation Office ("SHPO") for the agency's review and comment, along with an Application for Section 106 Review that the SHPO requested be included with the advance copy of this report. To date, CMRY has not received a response from the SHPO, but, should the agency respond later to CMRY's request for review and comment and/or to its Application for Section 106 Review, CMRY promptly will forward relevant information to the Board.

**49 CFR 1105.8(d)(2) Description of Right-of-Way**

***A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area.***

The Line's right-of-way is approximately 1.75 miles in length, and is generally 50 feet in width, although it is wider near the Line's connections to MMR's east-west running main line at milepost 157.96 and at valuation map marker location 3+00 where track curvature necessitated a wider right-of-way. The subject right-of-way includes nine (9) at-grade crossings and one (1) railroad overpass spanning a public roadway (Monroe Avenue). The railroad overpass over Monroe Avenue is believed to be over 50 years old, measures approximately 70-feet in length and 18 feet in width, and has a vehicular highway clearance of 13'4". The topography around the Line is generally flat and the surrounding area is urban in character.

**49 CFR 1105.8(d)(3) Photographs**

***Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area***

There is only one structure on the Line that is 50 years old or older, the rail line overpass (bridge) just to west of milepost 157.96, on which the Line crosses Monroe Avenue. Photographs of the overpass structure, which also depict the nature of the surrounding area, are attached hereto as Exhibit 3.

**49 CFR 1105.8(d)(4) Background Information on Structures of Interest**

***The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known.***

The lone structure on the Line that CMRY believes to be 50 years old or older is a steel through-girder bridge built in 1905, which spans Monroe Avenue. The bridge is a

three-span skewed bridge that measures 72' 2" long and 15' 11-5/8" wide. CMRY knows of no significant alterations to the bridge since it was built, and has no records bearing on any post-construction modification that that structure. As noted below, CMRY acquired the line from the Grand Trunk Western Railroad Company ("GTW") in 1987, and, since that transaction, CMRY has undertaken no modification to the bridge.

**49 CFR 1105.8(d)(5) History of Carrier Operations in the Area**

***A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action.***

CMRY believes that rail service began on this corridor in the early 1900's and was continuous on Segments A and B up until the Grand Rapids Press moved their printing facility off the Line, taking their last delivery in June of 2004. According to records in CMRY's possession, and based on related online investigation, the Line previously was owned by the Grand Rapids Terminal Railroad Company ("GRTC") and operated by the Detroit, Grand Haven & Milwaukee Railway Company ("DGMR"). Both GRTC and DGMR appear to have become part of GTW in 1928. It appears that the Line was part of GRTC's (and then GTW's) terminal operations in Grand Rapids, and was a branch line feeding into the DGMR/GTW main line from Detroit to Grand Haven (on the eastern shore of Lake Michigan). GTW sold the Line to CMRY as part of a transaction that took place in 1987. The Line corridor remains intact, and, although it has not seen any local or overhead traffic since Grand Rapids Press terminated shipments over it, CMRY has, since 2004, used portions of the Line on occasion for railcar storage. CMRY has very little, if any, additional information regarding the history of the Line.

**49 CFR 1105.8(d)(6) Summary of Documents in CMRY's Possession**

***A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic.***

CMRY has very few documents in its possession that may offer further information regarding the bridge and/or any possible historic characteristics of it. For example, CMRY does not have any engineering drawing of the bridge. CMRY does, however, have a bridge inspection report, dated April 2007, prepared by HNTB, a transportation consulting firm. If requested, CMRY can provide copies of this report.

**49 CFR 1105.8(d)(7) *Opinion Regarding Historic Character of Structures***

***An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities).***

As reflected above, review of CMRY records indicates only one structure exists on the Line that is more than 50 years old – the above-described rail bridge overpass spanning Monroe Avenue. CMRY is unaware of any significant or unique aspects to this bridge that would cause it to be a serious candidate for listing on the National Register of Historic Places, and therefore CMRY is of an opinion that the bridge likely would not qualify for such listing. CMRY is also unaware of any archeological resources or any other previously unknown historic properties on the right-of-way.

**49 CFR 1105.8(d)(8) *Known Ground Disturbance or Environmental Conditions***

***A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.***



A portion of the Line was constructed on a series of cut and fills which appear to date back to the Line's original construction. (CMRY has no records to confirm that the subject cut and fills are original to the line, but it is CMRY's opinion that this is the case.) Over the years, track work and or construction likely took place on the Line, while it was still in operation. Original track construction, and subsequent track work and maintenance may have disturbed the potential for recovery of archaeological resources along the Line. CMRY is not aware of any environmental conditions that would otherwise affect the archaeological recovery of resources.

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. 308 (SUB-NO. 4X)**

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**CENTRAL MICHIGAN RAILWAY COMPANY  
- ABANDONMENT EXEMPTION -  
LINE IN KENT COUNTY, MI**

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**ENVIRONMENTAL AND HISTORIC REPORT**

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**EXHIBIT 1**

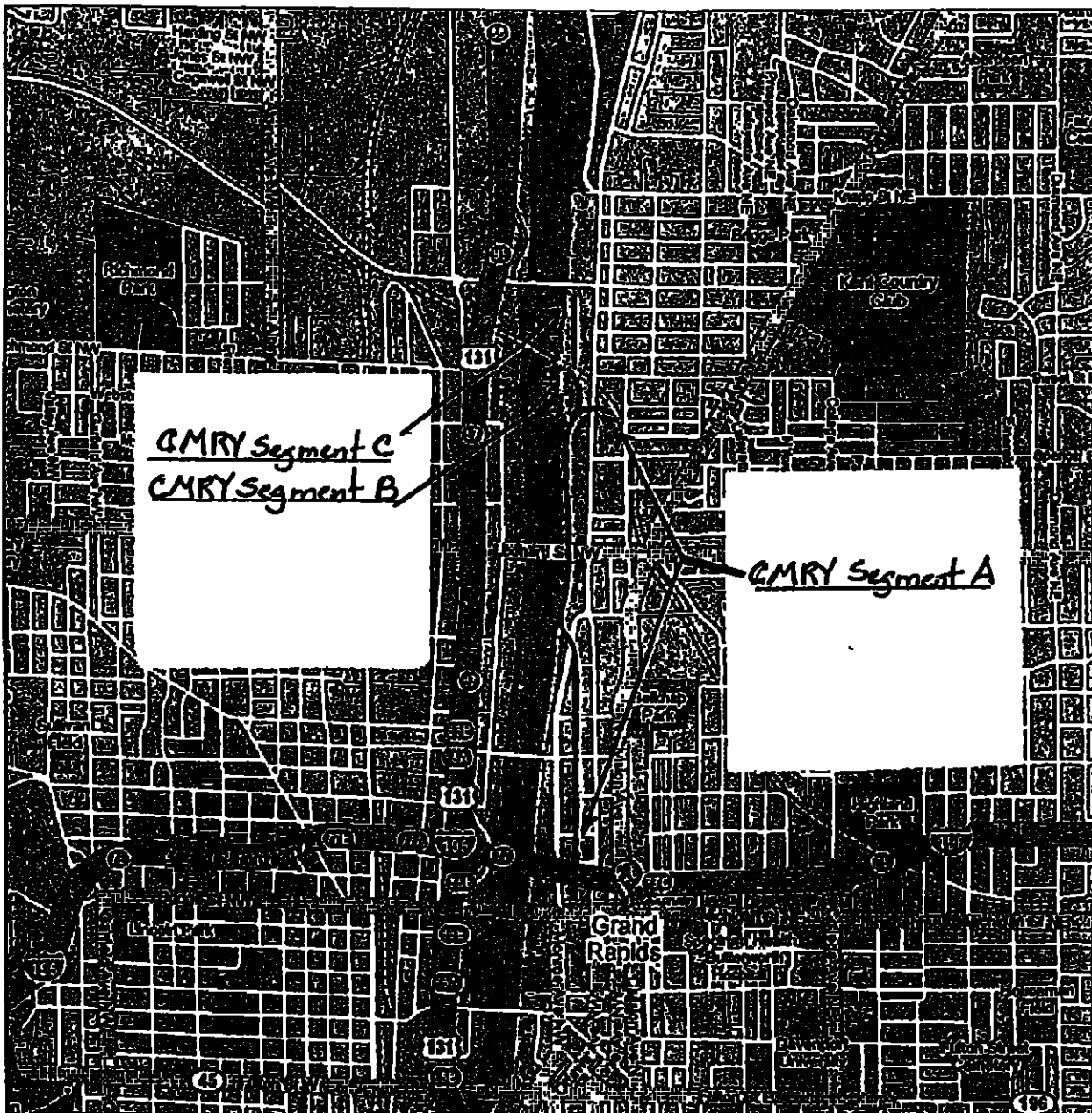
**MAPS**

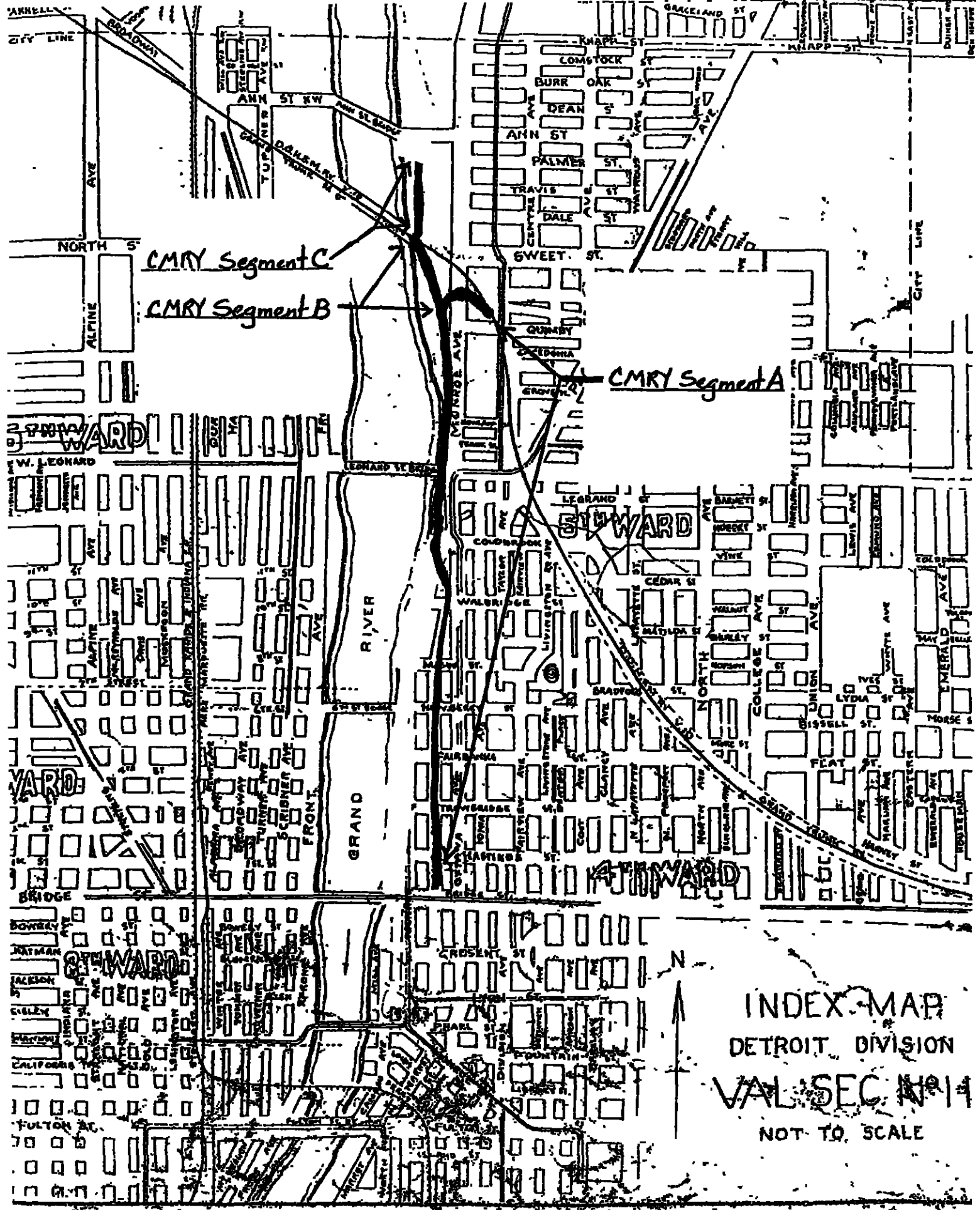


Address Grand Rapids, MI

Get Google Maps on your phone

Text the word "GMAPS" to 466453





CMRY Segment C

CMRY Segment B

CMRY Segment A

INDEX MAP  
DETROIT DIVISION  
VAL SEC N11  
NOT TO SCALE

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. 308 (SUB-NO. 4X)**

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**CENTRAL MICHIGAN RAILWAY COMPANY  
- ABANDONMENT EXEMPTION -  
LINE IN KENT COUNTY, MI**

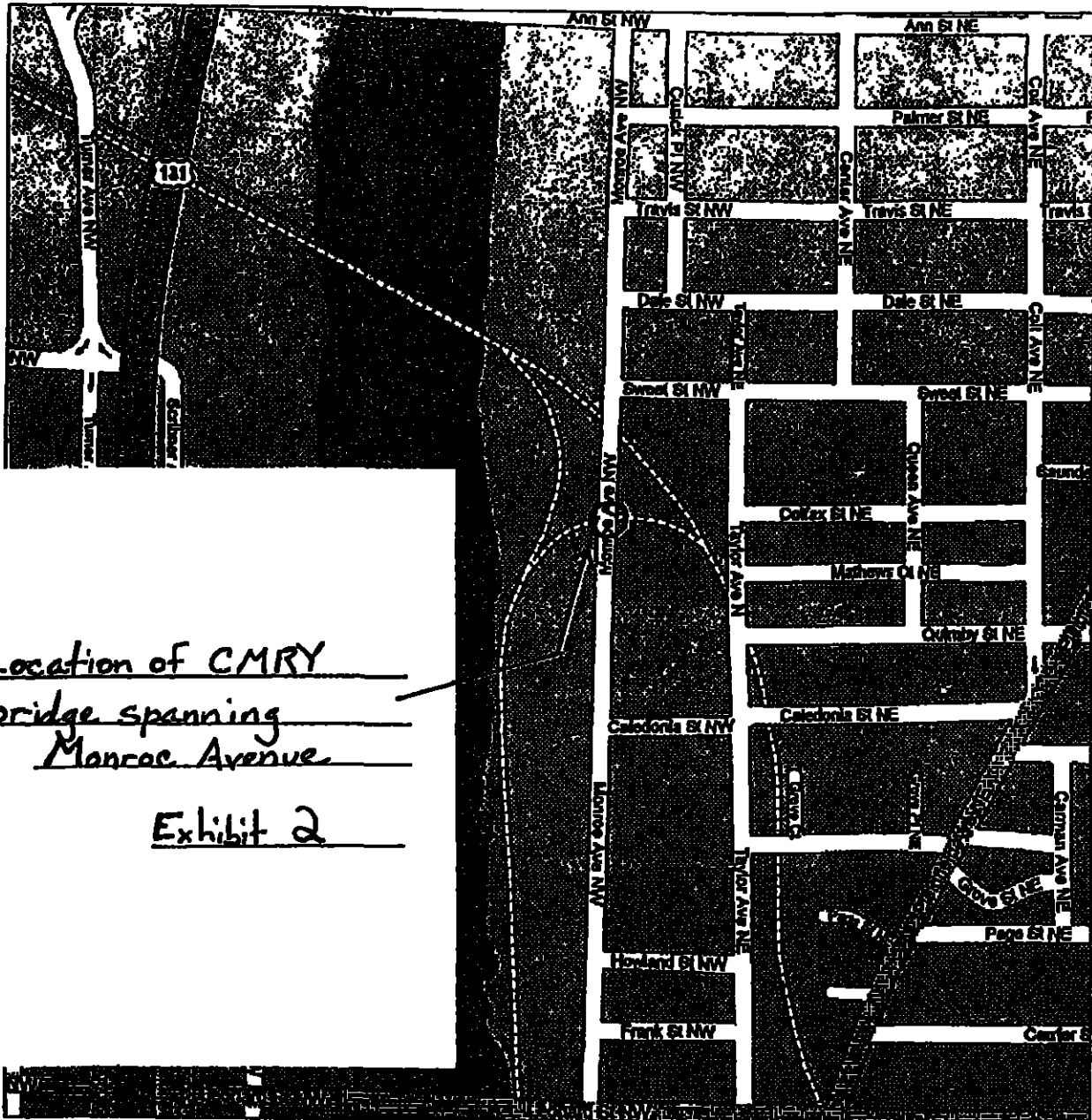
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**ENVIRONMENTAL AND HISTORIC REPORT**

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**EXHIBIT 2**

**MAP DEPICTING LOCATION OF  
MONROE AVENUE BRIDGE**



Location of CMRY  
bridge spanning  
Monroe Avenue

Exhibit 2

**BEFORE THE  
SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB DOCKET NO. 308 (SUB-NO. 4X)**

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**CENTRAL MICHIGAN RAILWAY COMPANY  
- ABANDONMENT EXEMPTION -  
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**ENVIRONMENTAL AND HISTORIC REPORT**

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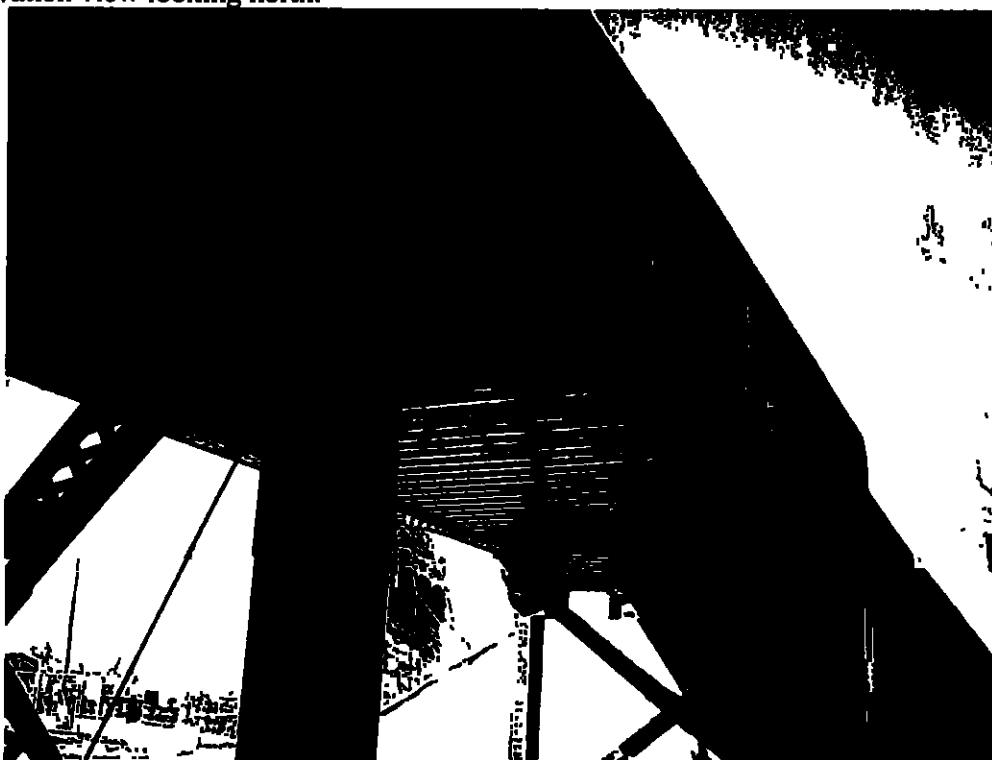
**EXHIBIT 3**

**MONROE AVENUE BRIDGE  
PHOTOS**



**Photograph #1:**  
**Elevation view looking north.**

**– Monroe Avenue South.**



**Photograph #2: Bridge underside of middle span. Looking southwest**





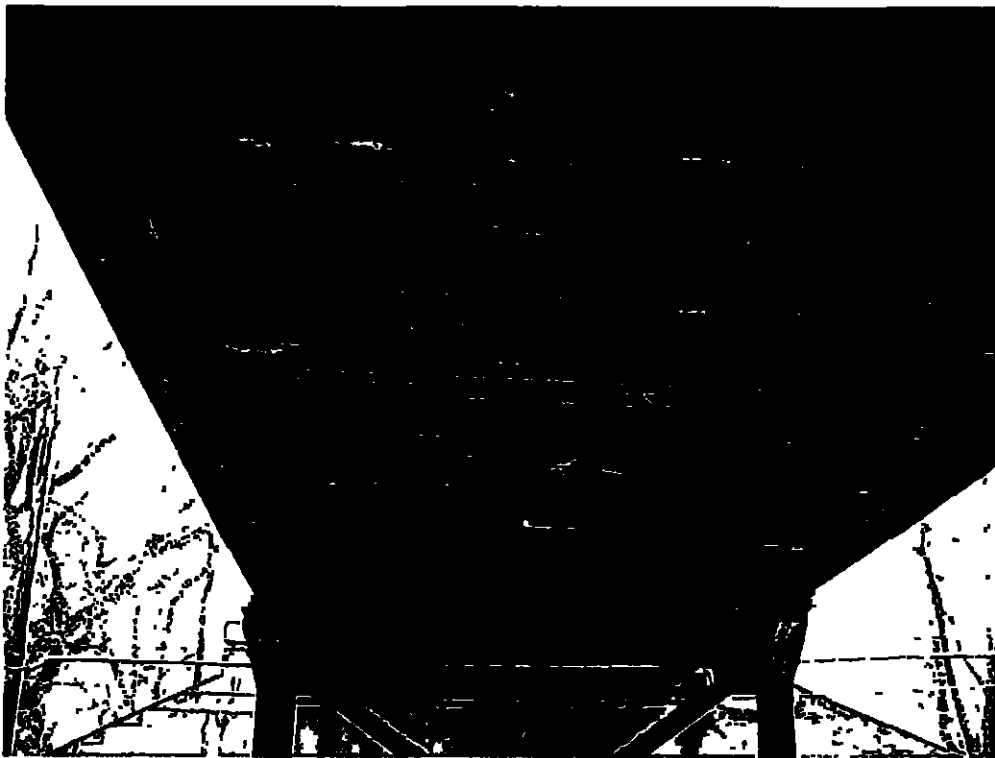
Photograph #3: Bridge underside of east abutment span. Looking southeast



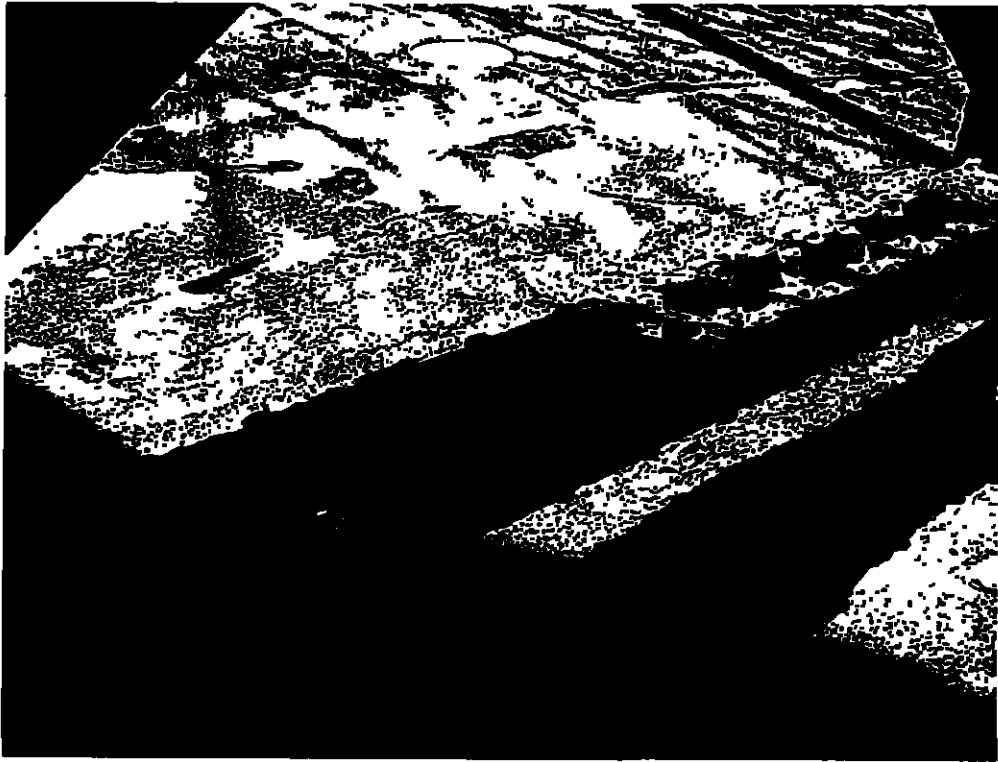
Photograph #4: Northeast timber bearing. Looking east.



**Photograph #5: Southeast wingwall spalling along the top part. Looking east.**



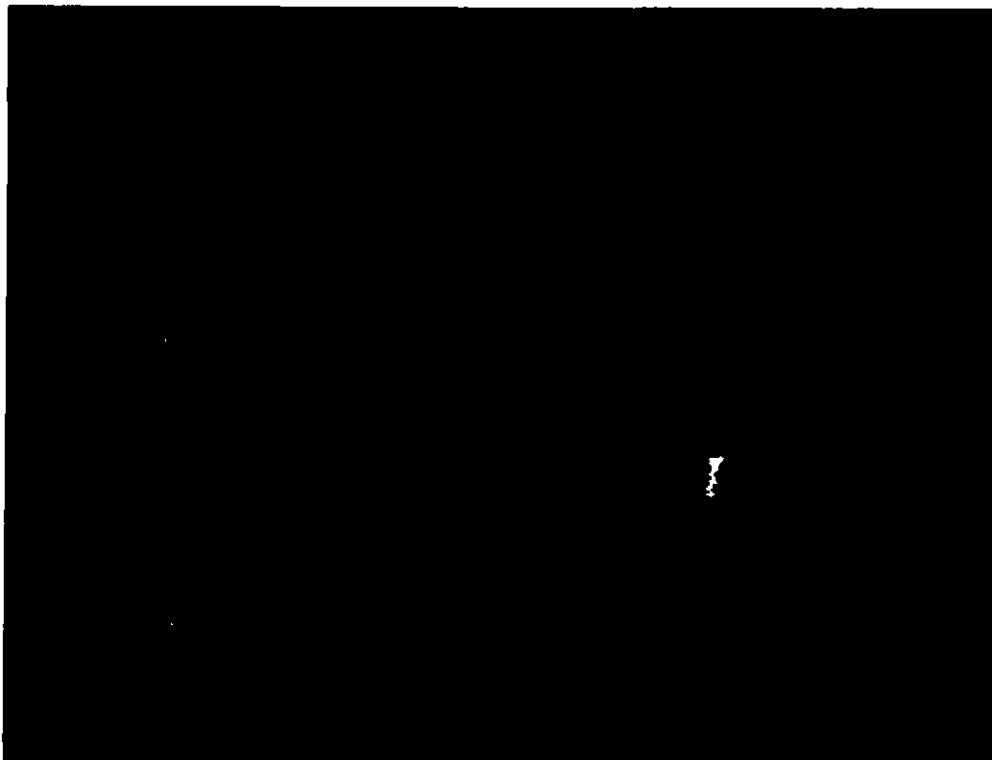
**Photograph #6: Bridge underside of main span. Looking east**



**Photograph #7. Deteriorated lacing bars of bottom bracing member at the west bent. Looking east.**



**Photograph #8: West bent bottom bracing member deteriorated connection at the south end. Looking southeast.**



Photograph #9: Clogged drain hole on the steel deck plate. Underside of east abutment span looking up.



Photograph #10. Southeast timber bearing looking down.



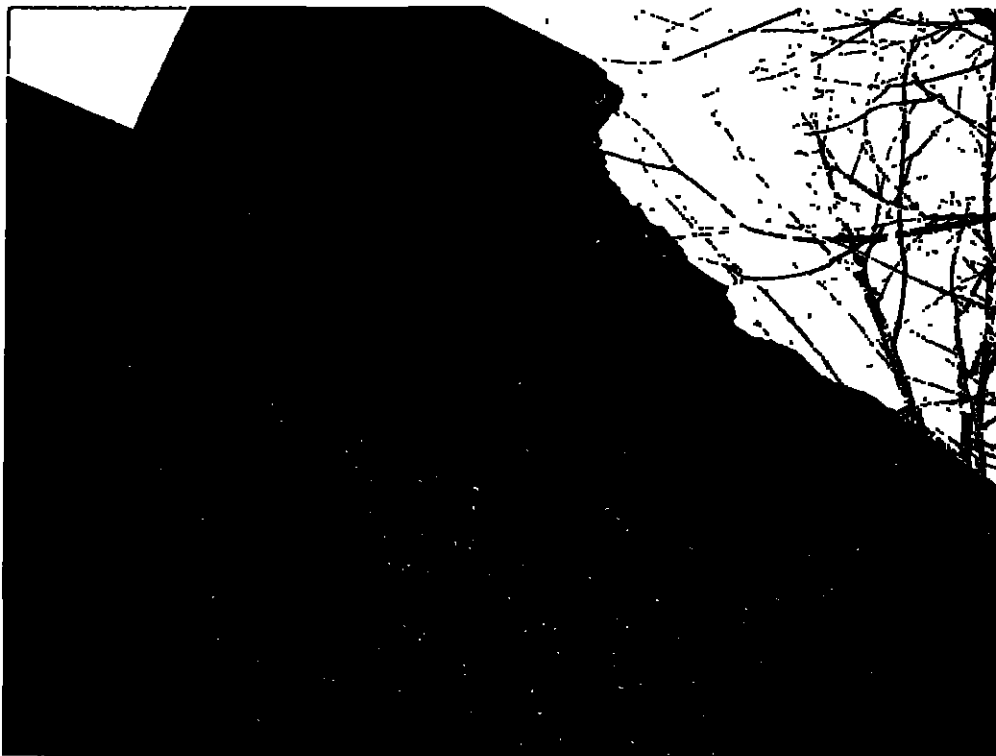
Photograph #11: Cracked southwest timber bearing looking down



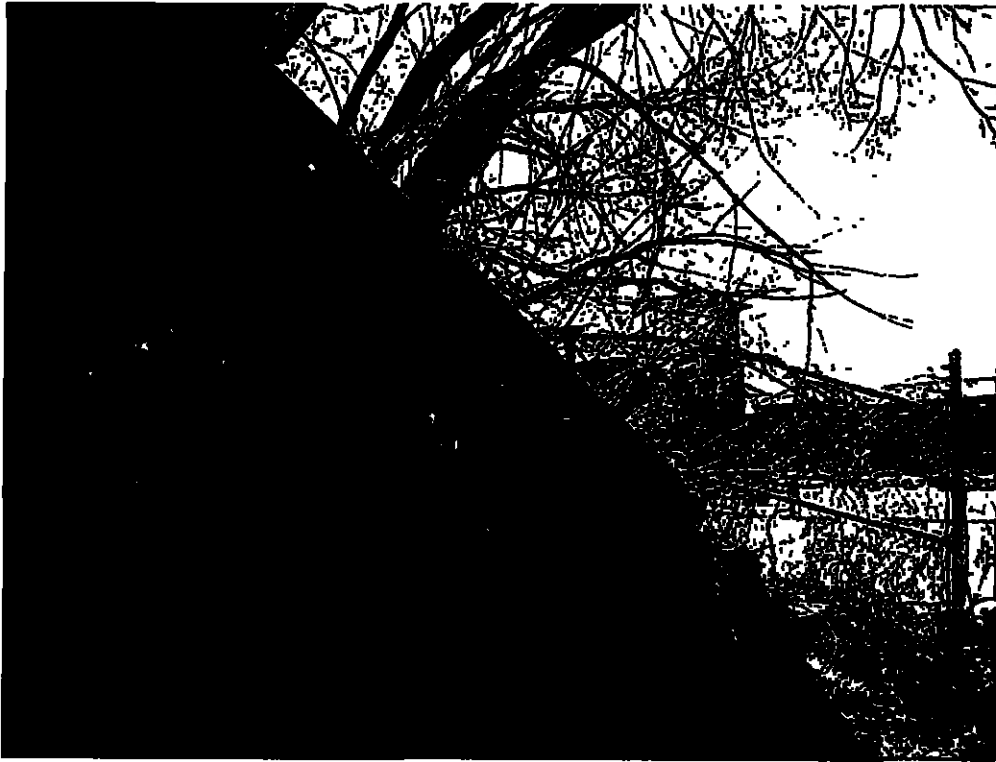
Photograph #12: Out-of-service railroad track looking east.



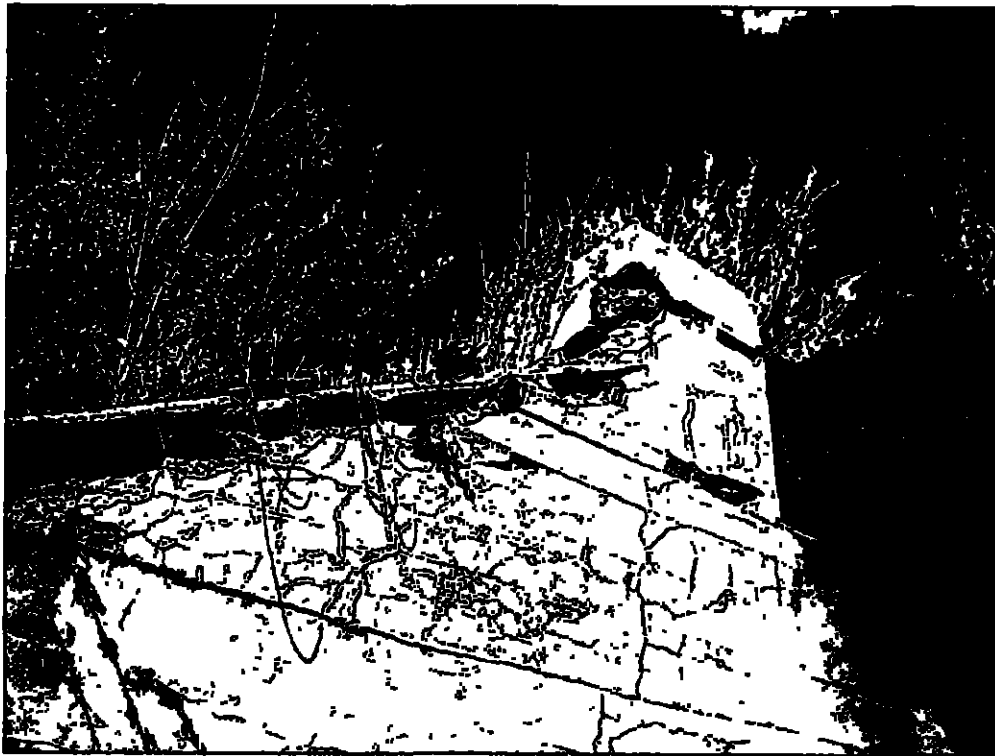
**Photograph #13: Erosion of soil material around drain hole located near the bridge midspan. Looking down.**



**Photograph #14: Spalling on the southeast wingwall. Looking southeast**



**Photograph #15: Spalling and deterioration of the southeast wingwall. Looking southeast.**



**Photograph #16: Spalling and deterioration of the southwest wingwall. Looking northwest.**

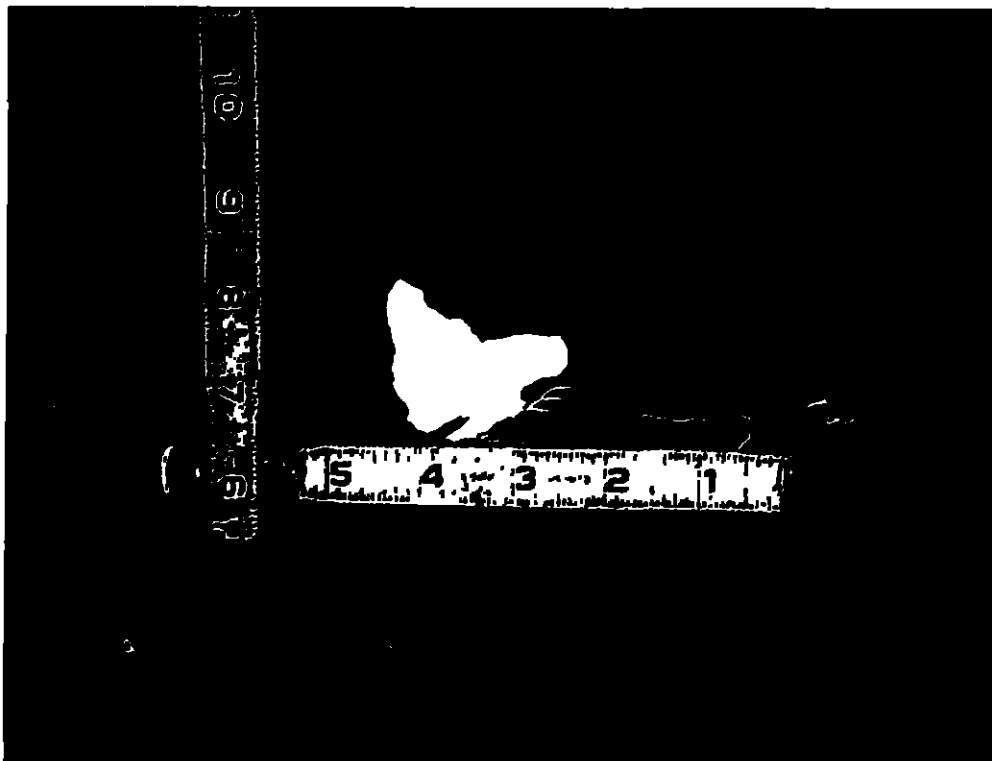


Photograph #17: Deterioration of southwest wingwall near ground level. Looking southwest

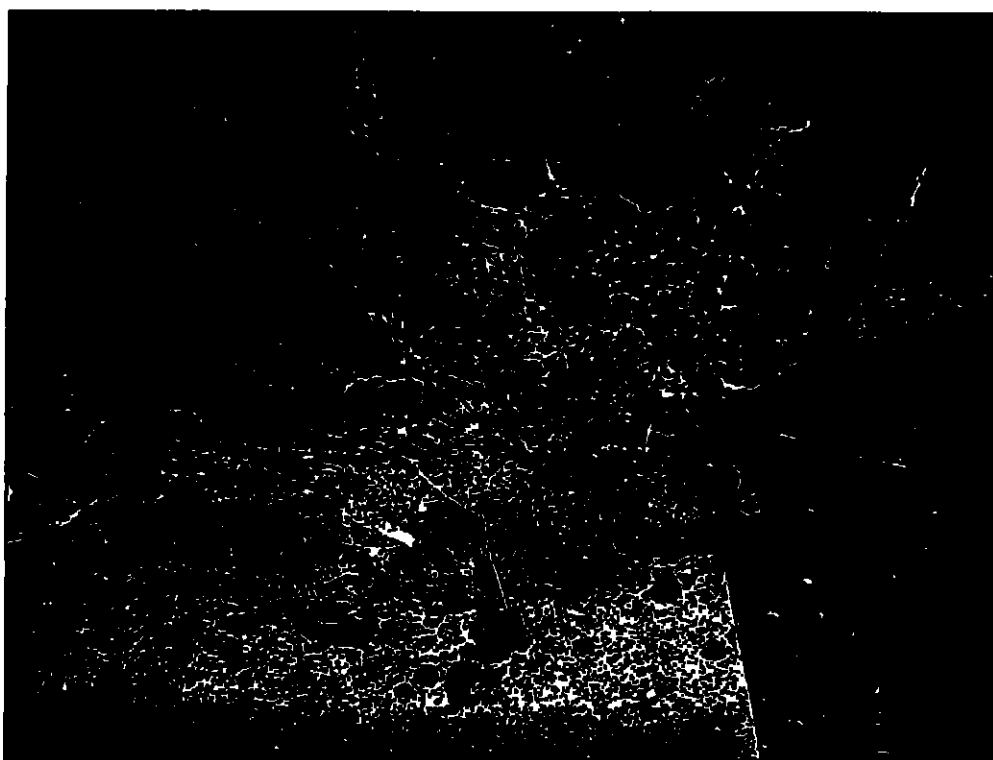


Photograph #18: Web hole in the southwest column web. Looking north.





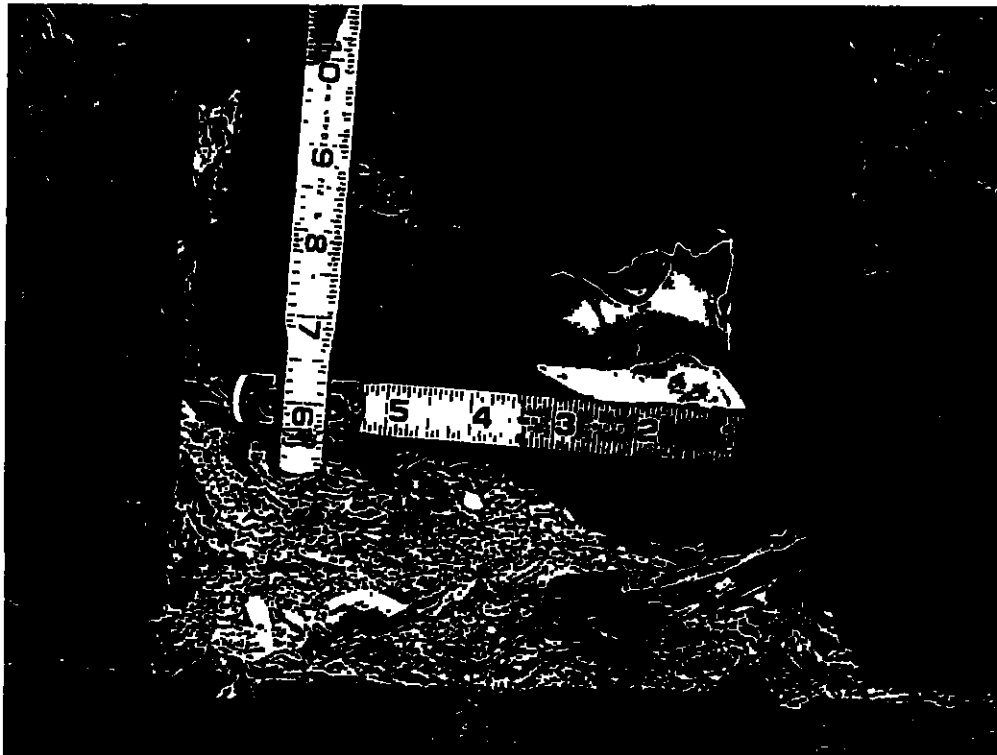
Photograph #19: Web hole in the northwest column. Looking south.



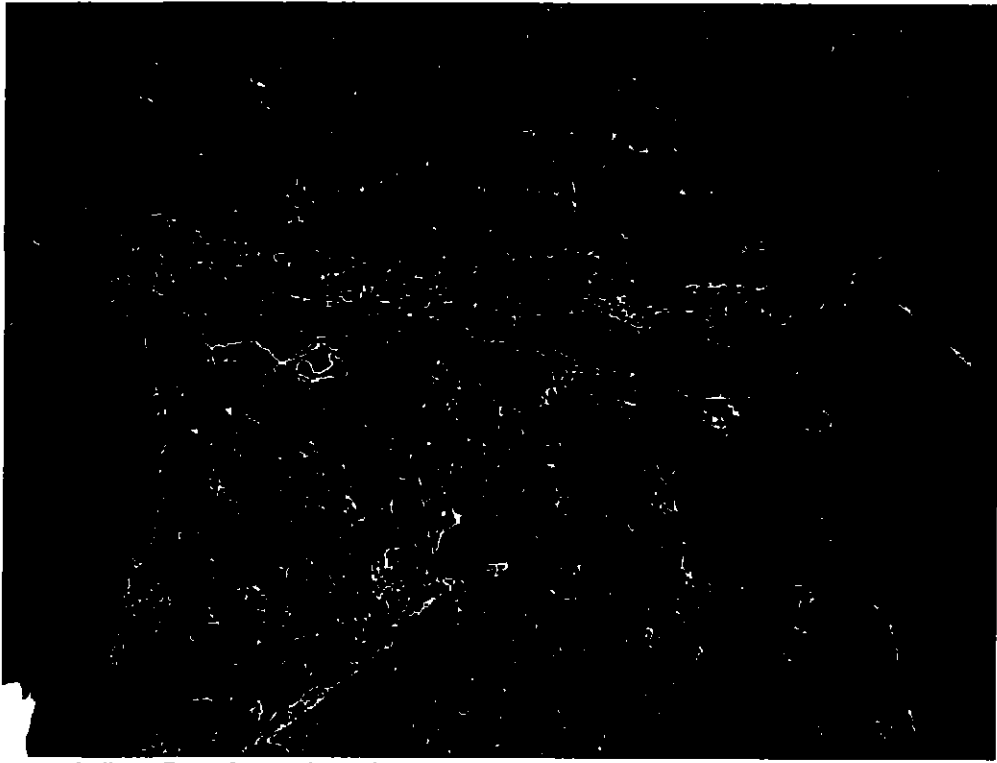
Photograph #20: Gusset plate section loss on the northeast column. Looking east.



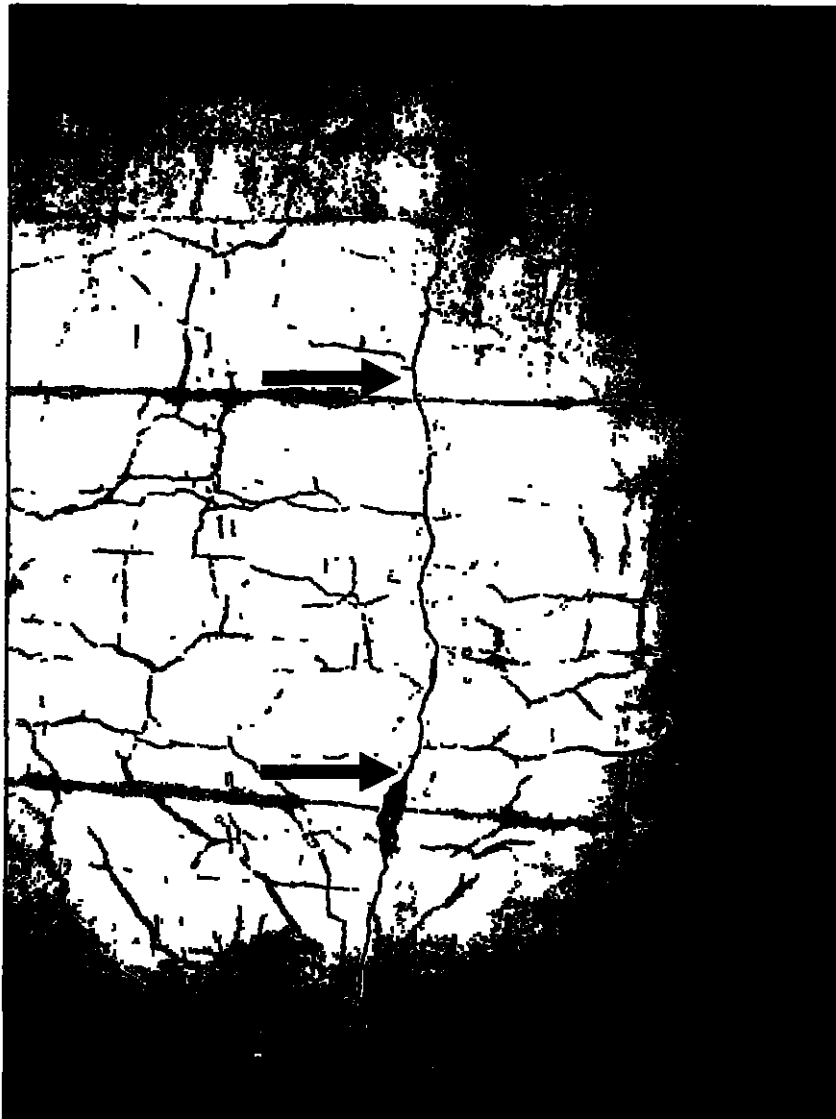
Photograph #21: Damaged northeast column flange. Looking north.



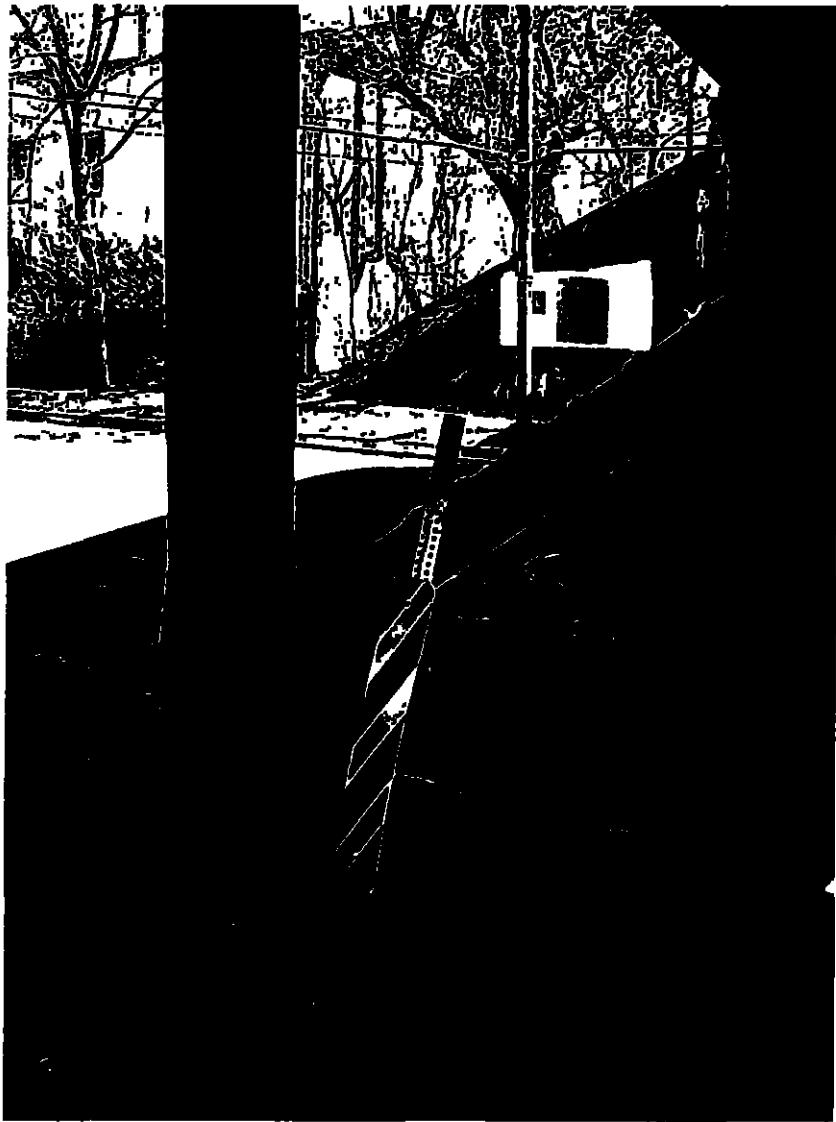
Photograph #22: Web hole in the southeast column. Looking north.



**Photograph #23: Deteriorated northeast column and bottom bracing connection. Looking down and north.**



Photograph #24: Full height vertical crack at the center of east abutment wall Looking east.



Photograph #25: Damaged traffic sign near the northwest column. Looking northeast.